

SEVENTY-NINTH DAY

(Tuesday, May 27, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Hon. R. Emmett Morse of Harris County.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Garland
Allison	Gilmer
Alsup	Goodman
Avant	Halsey
Bailey	Hanna
Baker	Hardeman
Bean	Hargis
Bell	Harris of Dallas
Benton	Harris of Hill
Blankenship	Hartzog
Boone	Heflin
Brawner	Helpinstill
Bray	Henderson
Bridgers	Hileman
Brown	Hobbs
Bruhl	Howard
Bullock	Howington
Bundy	Hoyo
Burkett	Huddleston
Burnaman	Hughes
Carlton	Humphrey
Carrington	Hutchinson
Cato	Isaacks
Celaya	Jones
Chambers	Kelly
Clark	Kennedy
Cleveland	Kersey
Coker	Kinard
Colson, Mrs.	King
Connelly	Klingeman
Craig	Knight
Crossley	Lansberry
Crosthwait	Lehman
Daniel	Leyendecker
Davis	Little
Deen	Lock
Dickson of Nolan	Love
Donald	Lowry
Dove	Lucas
Duckett	Lyle
Ellis	McAlister
Eubank	McCann
Evans	McDonald
Favors	McGlasson
Ferguson	McLellan
Files	McMurry
Fitzgerald	McNamara
Fuchs	Manford
Gandy	Manning

Markle	Senterfitt
Martin	Shell
Matthews	Simpson
Mills	Skiles
Montgomery	Smith of Bastrop
Morgan	Smith of Atascosa
Morris	Spacek
Morse	Spangler
Murray	Stanford
Pace	Stinson
Parker	Stubbs
Pevehouse	Taylor
Phillips	Thornton
Price	Turner
Rampy	Vale
Reed of Bowie	Voigt
Reed of Dallas	Walters
Ridgeway	Wattner
Rhodes	Weatherford
Roark	White
Roberts	Whitesides
Sallas	Winfree

Absent—Excused

Allen	Huffman
Anderson	Moore
Dickson of Bexar	Nicholson
Dwyer	Sharpe

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Almighty God, we do not know Thee as we should, but we do know that most of the world has forgotten and defied Thee, and is trying to undo all that has been done in Thy name. May the people and the leaders of our fair land remember that what we are we owe to Thee, and that Thou art the rock upon which worthwhile civilization is built. And do Thou lift us up and guide us today. For Christ's sake. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves on account of important business:

Mr. Moore for today on motion of Mr. Connelly.

Mr. Allen for today on motion of Mr. Markle.

Mr. Huffman for today and the balance of the week on motion of Mr. Isaacks.

Mr. Dickson of Bexar for this morning on motion of Mr. Ridgeway.

Miss Files for this afternoon on motion of Mr. Kelly.

Mr. Nicholson for today on account of illness on motion of Mr. Burkett.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Bray:

H. B. No. 1062, A bill to be entitled "An Act to amend Section 4 of Article XVIII of House Bill No. 8, Acts of the Forty-seventh Legislature, Regular Session, to provide for the allocation of funds collected under Article XVIII of House Bill No. 8, Acts of the Forty-seventh Legislature, Regular Session, and to provide for the transfer and allocation of revenue previously collected and now held in suspense by the Insurance Commission, preparatory to distribution to certain funds; amending Section 2, Article XX of House Bill No. 8, Acts of the Forty-seventh Legislature, Regular Session, providing for the allocation and transfer of certain funds; providing for \$1,750,000.00 for old-age assistance for each month of the fiscal year ending August 31, 1941, and appropriating, transferring and crediting to the Old-Age Assistance Fund \$1,750,000" monthly; providing for the transfer, allocation, appropriation and crediting of funds ordinarily allocated to the General Revenue Fund for old-age assistance; and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Bridgers, Mr. Bean and Mr. Isaacks:

H. B. No. 1064, A bill to be entitled "An Act to amend Section 2 of Chapter 11 of Subdivision III, Water Improvement Districts, Acts of the 46th Legislature, Regular Session (House Bill No. 594, approved April 18, 1939, and effective the

same date) so as to provide for dividing Water Improvement Districts organized or operated under Chapter 2 of Title 128, Revised Civil Statutes of Texas of 1925, when such Districts are operated under contract with the Department of the Interior of the Government of the United States, into divisions for the election of Directors thereof; validating and confirming all orders heretofore made by the Board of Directors of such Districts, dividing said Districts into divisions, and validating and confirming all elections heretofore held for Directors for each of such divisions; requiring Directors thereof to be owners of land subject to taxation in the division from which they are elected; providing for the election of such Directors by the vote of the qualified electors of the whole Water Improvement District; and declaring an emergency."

Referred to the Committee on Judiciary and Uniform State Laws.

Mr. Smith of Atascosa asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 1063.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Smith of Atascosa and Mr. Taylor:

H. B. No. 1063, A bill to be entitled "An Act defining Labor Organizer; providing a license for Labor Organizers and the qualifications of one entitled to receive such license; providing a fee for such license and disposing of monies from the sale of such license; providing for the keeping of a record to whom a Labor Organizer's License is issued; providing a penalty for any violation of this Act or failure to show license upon demand of any officer; repealing conflicting laws; and declaring an emergency."

Referred to the Committee on Labor.

MOTIONS TO INTRODUCE CERTAIN BILLS

Mr. Halsey moved to introduce the following bill:

By Mr. Halsey and Mr. Eubank:

H. B. No. —, A bill to be entitled "An Act declaring the recent floods of the Brazos, Tongue and Pease Rivers in Motley, Cottle, Childress, Hall, Borden, Dickens, Scurry, Kent, Stonewall, Garza, Hockley, Lubbock, Cochran, Crosby, Lynn, Terry, Gaines, Dawson, Yoakum, Lamb, Floyd, Briscoe, Hale, Swisher, Castro, Bailey and Parmer Counties to be a Public Calamity, authorizing a donation and grant to said Counties Flood Control Districts of one-half of the State ad valorem taxes collected in said counties for flood control improvement and maintenance purposes, specifying the reports thereon to be made by the Assessor and Collector of Texas; authorizing the issuance of bonds secured by a pledge of the funds donated and granted by the State and prescribing the manner of issuance thereof; providing the procedure hereunder for all matters relating to said donation; providing that if any provisions of this Act shall be held invalid, the other provisions shall not be affected, and declaring an emergency."

The motion was lost.

Mr. Parker moved to introduce the following bill:

By Mr. Parker:

H. B. No. —, A bill to be entitled "An Act repealing Section 2 of House Bill 196, same being Chapter 450, Acts Regular Session, 45th Legislature, 1937, and amending Section 5 of House Bill 196, same being Chapter 450, Acts Regular Session, 45th Legislature, 1937, prohibiting dogs not muzzled from running at large during the night-time; allowing owners of dogs a reasonable time after each hunt in which to get dogs home; providing a penalty for failure to register such dogs or to allow such dogs to be killed when ordered by authorities so to do, or for any willful violation of this Act; and declaring an emergency."

The motion was lost by the following vote:

Yeas—26

Baker	McMurry
Benton	Markle
Boone	Martin
Brown	Montgomery
Bullock	Murray
Deen	Parker
Dickson of Nolan	Rampy
Dove	Roark
Henderson	Senterfitt
Lansberry	Spacek
Lyle	Walters
McCann	White
McDonald	Whitesides

Nays—77

Allison	Hoyo
Avant	Hughes
Bailey	Jones
Bell	Kelly
Brawner	Kennedy
Bray	Kersey
Bruhl	Klingeman
Bundy	Knight
Burkett	Lehman
Burnaman	Leyendecker
Carlton	Little
Carrington	Lock
Cato	Love
Cleveland	Lucas
Connelly	McAlister
Craig	McGlasson
Crossley	McLellan
Crosthwait	Manning
Daniel	Matthews
Davis	Mills
Donald	Morris
Duckett	Pace
Ellis	Pevehouse
Favors	Phillips
Ferguson	Price
Fitzgerald	Reed of Bowie
Fuchs	Reed of Dallas
Gandy	Rhodes
Gilmer	Roberts
Halsey	Simpson
Hanna	Smith of Bastrop
Hargis	Smith of Atascosa
Harris of Dallas	Spangler
Harris of Hill	Taylor
Heflin	Thornton
Helpinstill	Turner
Hileman	Voigt
Hobbs	Weatherford
Howington	

Absent

Alsup

Bean

Blankenship	Isaacks
Bridgers	Kinard
Celaya	King
Chambers	Lowry
Clark	McNamara
Coker	Manford
Colson, Mrs.	Morgan
Eubank	Morse
Evans	Ridgeway
Files	Sallas
Garland	Shell
Goodman	Skiles
Hardeman	Stanford
Hartzog	Stinson
Howard	Stubbs
Huddleston	Vale
Humphrey	Wattner
Hutchinson	Winfree

Absent—Excused

Allen	Huffman
Anderson	Moore
Dickson of Bexar	Nicholson
Dwyer	Sharpe

MOTION TO INTRODUCE
CERTAIN RESOLUTION

Mr. Davis moved to introduce the following resolution:

H. J. R. No. —, Proposing an amendment to the Constitution of Texas by adding thereto a new section, to be known as Section 11a of Article VII, to authorize the Board of Regents of the University of Texas to issue bonds in a sum not exceeding One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000) for the purpose of constructing a Cancer Hospital and Experimental Station to be operated under the control of the Board of Regents, and authorizing the payment of such bonds from a pledge of a sufficient portion of the funds accruing to the Permanent University Fund.

The motion was lost by the following vote:

Yeas—29

Benton	Fuchs
Cleveland	Hanna
Colson, Mrs.	Hargis
Davis	Hartzog
Deen	Helpinstill
Dove	Henderson
Fitzgerald	Huddleston

Kinard
Lowry
Lucas
Lyle
McGlasson
McMurry
McNamara
Pace

Phillips
Rhodes
Roark
Spacek
Taylor
Turner
Whitesides

Nays—76

Avant	Kersey
Bailey	King
Baker	Knight
Bell	Lansberry
Brawner	Lehman
Bray	Leyendecker
Brown	Little
Bruhl	Lock
Burkett	Love
Carlton	McAlister
Carrington	McCann
Cato	McDonald
Chambers	Markle
Clark	Martin
Coker	Matthews
Craig	Mills
Crossley	Morgan
Crosthwait	Murray
Donald	Parker
Duckett	Pevehouse
Ellis	Price
Favors	Reed of Bowie
Ferguson	Reed of Dallas
Files	Ridgeway
Gandy	Roberts
Gilmer	Senterfitt
Halsey	Simpson
Hardeman	Smith of Atascosa
Harris of Dallas	Spangler
Hefin	Stanford
Hileman	Stinson
Howard	Stubbs
Howington	Thornton
Hoyo	Voigt
Hughes	Walters
Humphrey	Wattner
Kelly	Weatherford
Kennedy	Winfree

Present—Not Voting

Manning

Absent

Allison	Bundy
Alsup	Burnaman
Bean	Celaya
Blankenship	Connelly
Boone	Daniel
Bridgers	Dickson of Nolan
Bullock	Eubank

Evans	Montgomery
Garland	Morris
Goodman	Morse
Harris of Hill	Rampy
Hobbs	Sallas
Hutchinson	Shell
Isaacks	Skiles
Jones	Smith of Bastrop
Klingeman	Vale
McLellan	White
Manford	

Absent—Excused

Allen	Huffman
Anderson	Moore
Dickson of Bexar	Nicholson
Dwyer	Sharpe

BILL RE-REFERRED

Mr. Lansberry moved that House Bill No. 972 be withdrawn from the Committee on State Affairs and referred to the Committee on Judiciary.

The motion prevailed.

RELATIVE TO HOUSE BILL
NO. 739

On motion of Mr. White, and by unanimous consent of the House, the caption of House Bill No. 739 was ordered amended to conform to all changes and with the body of the bill.

BILL RECOMMITTED

Mr. Skiles moved that Senate Bill No. 396 be recommitted to the Committee on School Districts.

The motion prevailed.

MEMORIALIZING CONGRESS IN
REGARD TO PASSAGE OF
CERTAIN LEGISLATION

Mr. Hardeman offered the following resolution:

H. S. R. No. 306, Memorializing Congress in regard to passage of legislation providing free postage, etc., for soldiers.

Whereas, Our Government is confronted with the most serious situation in its history, is actively enlarg-

ing its Army, Navy and Aviation forces by calling thousands of the young men of America to respond to Military duty to save this country from pending and threatened destruction; and

Whereas, As each of these young men is enlisted he gives to the military authorities the name and address of the person nearest and dearest to him, such as father, mother, brother, sister or wife; and

Whereas, The sentimental and affectionate relation existing between the soldier and those in civil life dear to him should be fostered and sustained in every way possible by contacts, constant and recurring; and

Whereas, This can be done by written communication through the United States mails between the citizen and the soldier; therefore be it

Resolved, That we request the United States Congress to provide adequate and necessary legislation under just and reasonable rules and regulations to permit the soldier in the United States Army, Navy or Aviation departments to communicate with persons named above without being required to pay any postage on any letters sent by such soldier to such person, or either of them, but that he be permitted to frank such communications at the expense of the Government. And that the Government require that all places where soldiers are maintained adequate facilities be kept, including stationery, to carry out the purposes of this resolution, be it further

Resolved, That a copy of this resolution be sent to the Honorable Tom Connally, United States Senator from Texas, and to the Postmaster General of the United States with the request that they see that prompt action is taken on the same.

The resolution was read second time and was adopted.

MEMORIALIZING CONGRESS IN
REGARD TO GREAT LAKES,
ST. LAWRENCE SEAWAY

Mr. Reed of Dallas offered the following resolution:

H. S. R. No. 309, Memorializing Congress in regard to Great Lakes-

St. Lawrence Seaway and Power Treaty.

Whereas, It appears from present reports that a serious effort is now being made to induce the Congress of the United States to take the necessary steps towards completion of the Great Lakes-St. Lawrence Seaway and Power Treaty; and

Whereas, The House of Representatives of Texas, although actuated by every desire to cooperate with the Government in its plans for our National Defense, firmly believes that such a development would not be in the public interest in any manner but would be hostile to the best interests of the State of Texas and of the United States, as it would disrupt and demoralize the transportation systems of the United States, land and water, and would disastrously affect the economic welfare of the country, and would particularly work a hardship on the Texas ports, and would cause irreparable injury to the public industries and labor of this State and Nation; therefore, be it

Resolved by the House of Representatives, That it go on record as being strongly opposed to this project; and be it further

Resolved, That the Congress of the United States, and particularly the Senators and Representatives elected from the State of Texas be memorialized and requested to use their utmost influence in opposition to said project; and be it further

Resolved, That a copy of this resolution be sent to Colonel Edwin A. Halsey, Secretary of the United States Senate, the Honorable Sam Rayburn, Speaker of the United States House of Representatives, and to each Senator and Representative in Congress from the State of Texas.

REED of Dallas,
 LYLE,
 HEFLIN,
 HOWARD,
 MORSE,
 HARTZOG,
 TAYLOR,
 LOWRY,
 PHILLIPS,
 MARKLE
 BROWN.

The resolution was read second time and was adopted.

REASONS FOR VOTE

I did not vote for H. S. R. No. 309 because, for one thing, the closest possible cooperation between the United States and Canada and Great Britain is essential to public welfare at this time.

HARRIS of Hill.

(Speaker in the Chair.)

RELATIVE TO HOUSE BILL NO. 518

Mr. Stanford offered the following resolution:

H. C. R. No. 175, Relative to House Bill No. 518.

Whereas, House Bill No. 518 has passed the House and Senate and was vetoed by the Governor; and

Whereas, Said Bill passed the House over the Governor's veto by a vote of 82 ayes and 26 nays, and passed the Senate over the Governor's veto by a vote of 26 ayes and 2 nays; and

Whereas, All of the Senators whose districts are affected by the Bill have voted for it; and

Whereas, It is of vital importance to the sections affected that this law be made operative immediately; and

Whereas, Section 39 of Article III of the Constitution of the State of Texas provides that laws passed by the Legislature shall take effect and go into force ninety (90) days after the adjournment of the session at which they were enacted, unless in case of an emergency, which emergency must be expressed in a preamble or in the body of the Act, the Legislature shall, by a vote of two-thirds of all members elected to each House, otherwise direct; and

Whereas, The emergency is a part of, and expressed in the body of said House Bill No. 518; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Legislature, by an affirmative vote of two-thirds of all the members elected to each House,

hereby directs that said House Bill No. 518 be in full force and effect from and after the passage of this Resolution; the votes thereon to be taken by yeas and nays and entered upon the Journals of the respective Houses; the purpose of this Resolution being to put said House Bill No. 518 into immediate effect without waiting for the expiration of the ninety-day period immediately following the adjournment of the Regular Session of the Forty-seventh Legislature; and be it further,

Resolved by the Legislature of the State of Texas, That said House Bill No. 518, including this resolution, is an emergency measure, and such emergency is hereby declared for the reasons herein and in said House Bill No. 518 stated; and on account of such emergency an imperative public necessity demands that the Constitutional Rule requiring all bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and said House Bill No. 518 and this Resolution shall be in force and take effect from and after the passage hereof, and it is so resolved.

STANFORD,
CARRINGTON.

The resolution was read second time.

Mr. Davis moved to table the resolution.

The motion to table was lost.

Question then recurring on the resolution by Mr. Stanford, it was adopted by the following vote:

Yeas—97

Allison	Burnaman
Alsup	Carlton
Avant	Carrington
Bean	Cato
Bell	Chambers
Blankenship	Clark
Boone	Cleveland
Bray	Coker
Bridgers	Colson, Mrs.
Brown	Connelly
Bruhl	Craig
Bullock	Crossley
Bundy	Dickson of Nolan
Burkett	Duckett

Eubank
Favors
Ferguson
Fitzgerald
Goodman
Halsey
Hardeman
Hargis
Hartzog
Helpinstill
Henderson
Hileman
Howard
Hoyo
Humphrey
Hutchinson
Isaacks
Kelly
Kennedy
Kersey
Knight
Lansberry
Lehman
Leyendecker
Little
Lock
Love
Lucas
Lyle
McAlister
McCann
McDonald
McMurry
Manford
Manning

Martin
Matthews
Mills
Montgomery
Morgan
Morris
Morse
Murray
Pace
Pevehouse
Phillips
Price
Reed of Dallas
Ridgeway
Roark
Roberts
Senterfitt
Shell
Simpson
Skiles
Smith of Bastrop
Spangler
Stanford
Stinson
Stubbs
Taylor
Turner
Vale
Voigt
Walters
Wattner
Weatherford
Whitesides
Winfree

Nays—16

Bailey	King
Baker	McGlasson
Benton	McNamara
Davis	Parker
Ellis	Rampy
Fuchs	Rhodes
Hanna	Smith of Atascosa
Howington	Spacek

Present—Not Voting

Markle	Reed of Bowie
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Absent

Brawner	Garland
Celaya	Gilmer
Crosthwait	Harris of Dallas
Daniel	Harris of Hill
Deen	Heflin
Donald	Hobbs
Dove	Huddleston
Evans	Hughes
Files	Jones
Gandy	Kinard

Klingeman
Lowry
McLellan

Sallas
Thornton
White

Absent—Excused

Allen
Anderson
Dickson of Bexar
Dwyer

Huffman
Moore
Nicholson
Sharpe

Mr. Stanford moved to reconsider the vote by which the resolution was adopted.

The motion to reconsider prevailed.

Question: Shall the resolution be adopted?

The resolution was adopted by the following vote:

Yeas—104

Allison
Alsup
Avant
Baker
Bean
Bell
Blankenship
Boone
Brawner
Bray
Bridgers
Brown
Bruhl
Bullock
Burnaman
Carlton
Carrington
Cato
Chambers
Clark
Cleveland
Coker
Colson, Mrs.
Connelly
Craig
Crossley
Duckett
Eubank
Favors
Ferguson
Files
Gilmer
Goodman
Halsey
Hardeman
Hargis
Harris of Hill
Hartzog

Heflin
Helpinstill
Henderson
Hileman
Howard
Hoyo
Huddleston
Hughes
Humphrey
Hutchinson
Isaacks
Jones
Kelly
Kennedy
Kersey
Knight
Lansberry
Lehman
Leyendecker
Little
Lock
Love
Lucas
Lyle
McAlister
McCann
McDonald
McLellan
McMurry
Manford
Manning
Markle
Martin
Matthews
Mills
Montgomery
Morgan
Morris

Morse
Murray
Pace
Pevehouse
Phillips
Price
Reed of Dallas
Ridgeway
Roark
Senterfitt
Shell
Simpson
Skiles
Smith of Bastrop

Smith of Atascosa
Spacek
Spangler
Stanford
Stinson
Stubbs
Taylor
Thornton
Vale
Walters
Wattner
Weatherford
Whitesides
Winfree

Nays—16

Bailey
Benton
Burkett
Davis
Dickson of Nolan
Ellis
Fuchs
Hanna

Howington
King
Lowry
McGlasson
McNamara
Parker
Rampy
Rhodes

Present—Not Voting

Fitzgerald
Reed of Bowie

Roberts

Absent

Bundy
Celaya
Crosthwait
Daniel
Deen
Donald
Dove
Evans
Gandy

Garland
Harris of Dallas
Hobbs
Kinard
Klingeman
Sallas
Turner
Voigt
White

Absent—Excused

Allen
Anderson
Dickson of Bexar
Dwyer

Huffman
Moore
Nicholson
Sharpe

Mr. Stanford moved to reconsider the vote by which the resolution was adopted and to table the motion to reconsider.

The motion to table prevailed.

(Mr. Morse in the Chair.)

HOUSE BILL NO. 1038 ON
SECOND READING

(By unanimous consent.)

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 1038, A bill to be entitled "An Act providing for a closed season on wild deer and wild turkey in Upshur and Camp Counties for a period of five (5) years; prescribing penalties for the violation of this Act; repealing all laws in conflict; and declaring an emergency."

The bill was second time and was passed to engrossment.

HOUSE BILL NO. 1038 ON THIRD READING

Mr. Baker moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 1038 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107

Allison	Garland
Alsup	Goodman
Avant	Hanna
Bailey	Hardeman
Baker	Hargis
Bean	Harris of Hill
Bell	Helpinstill
Benton	Howard
Blankenship	Howington
Boone	Hoyo
Bridgers	Huddleston
Brown	Hughes
Bruhl	Humphrey
Bundy	Hutchinson
Burkett	Jones
Burnaman	Kelly
Carlton	Kennedy
Cato	Kersey
Chambers	Kinard
Clark	King
Coker	Klingeman
Colson, Mrs.	Knight
Connelly	Lansberry
Craig	Lehman
Crossley	Little
Crothwait	Lock
Davis	Love
Dickson of Nolan	Lowry
Donald	Lucas
Dove	Lyle
Duckett	McAlister
Ellis	McCann
Eubank	McGlasson
Favors	McLellan
Ferguson	McMurry
Files	McNamara
Fitzgerald	Markle
Gandy	Martin

Matthews	Simpson
Mills	Skiles
Montgomery	Smith of Bastrop
Morris	Smith of Atascosa
Morse	Spacek
Murray	Spangler
Pace	Stinson
Parker	Taylor
Phillips	Thornton
Price	Voigt
Rampy	Walters
Reed of Bowie	Wattner
Ridgeway	Weatherford
Roark	Whitesides
Roberts	Winfree
Senterfitt	

Present—Not Voting

Bray

Absent

Brawner	Isaacks
Bullock	Leyendecker
Carrington	McDonald
Celaya	Manford
Cleveland	Manning
Daniel	Morgan
Deen	Pevehouse
Evans	Reed of Dallas
Fuchs	Rhodes
Gilmer	Sallas
Halsey	Shell
Harris of Dallas	Stanford
Hartzog	Stubbs
Heflin	Turner
Henderson	Vale
Hileman	White
Hobbs	

Absent—Excused

Allen	Huffman
Anderson	Moore
Dickson of Bexar	Nicholson
Dwyer	Sharpe

The Chair then laid House Bill No. 1038 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—107

Allison	Brown
Alsup	Bruhl
Avant	Bundy
Bailey	Burkett
Baker	Burnaman
Bean	Carlton
Bell	Cato
Benton	Chambers
Blankenship	Clark
Boone	Coker
Bridgers	

Colson, Mrs.	Love
Connelly	Lowry
Craig	Lucas
Crossley	Lyle
Crosthwait	McAlister
Davis	McCann
Dickson of Nolan	McGlasson
Donald	McLellan
Dove	McMurry
Duckett	McNamara
Ellis	Markle
Eubank	Martin
Favors	Matthews
Ferguson	Mills
Files	Montgomery
Fitzgerald	Morris
Gandy	Morse
Garland	Murray
Goodman	Pace
Hanna	Parker
Hardeman	Phillips
Hargis	Price
Harris of Hill	Rampy
Helpinstill	Reed of Bowie
Howard	Ridgeway
Howington	Roark
Hoyo	Roberts
Huddleston	Senterfitt
Hughes	Simpson
Humphrey	Skiles
Hutchinson	Smith of Bastrop
Jones	Smith of Atascosa
Kelly	Spacek
Kennedy	Spangler
Kersey	Stinson
Kinard	Taylor
King	Thornton
Klingeman	Voigt
Knight	Walters
Lansberry	Wattner
Lehman	Weatherford
Little	Whitesides
Lock	Winfree

Present—Not Voting

Bray

Absent

Brawner	Henderson
Bullock	Hileman
Carrington	Hobbs
Celaya	Isaacks
Cleveland	Leyendecker
Daniel	McDonald
Deen	Manford
Evans	Manning
Fuchs	Morgan
Gilmer	Pevehouse
Halsey	Reed of Dallas
Harris of Dallas	Rhodes
Hartzog	Sallas
Heflin	Shell

Stanford	Vale
Stubbs	White
Turner	

Absent—Excused

Allen	Huffman
Anderson	Moore
Dickson of Bexar	Nicholson
Dwyer	Sharpe

HOUSE BILL NO. 1050 ON SECOND READING

(By unanimous consent)

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 1050, A bill to be entitled "An Act to amend Section 1 of House Bill 738 of the 35th Legislature, Chapter 76, Acts 1917, Special Laws, page 295, so as to change the name of the 'Remlig County Line Independent School District' to 'Brookeland Independent School District'; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1050 ON THIRD READING

Mr. Hargis moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 1050 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114

Allison	Carrington
Alsup	Cato
Avant	Chambers
Bailey	Clark
Baker	Coker
Bean	Colson, Mrs.
Bell	Connelly
Benton	Craig
Blankenship	Crossley
Boone	Daniel
Brawner	Davis
Bray	Deen
Bridgers	Dickson of Nolan
Brown	Donald
Bullock	Dove
Burkett	Duckett
Burnaman	Ellis
Carlton	Eubank

Favors	McLellan
Ferguson	McMurry
Files	McNamara
Fitzgerald	Manford
Gandy	Manning
Garland	Markle
Gilmer	Martin
Goodman	Matthews
Halsey	Mills
Hanna	Montgomery
Hardeman	Morris
Hargis	Morse
Harris of Hill	Murray
Hartzog	Pace
Hefin	Parker
Helpinstill	Pevehouse
Hileman	Phillips
Howard	Price
Howington	Rampy
Hoyo	Reed of Bowie
Huddleston	Ridgeway
Hughes	Roark
Humphrey	Roberts
Hutchinson	Senterfitt
Jones	Shell
Kelly	Simpson
Kennedy	Skiles
Kersey	Smith of Bastrop
Kinard	Smith of Atascosa
Klingeman	Spacek
Knight	Spangler
Lansberry	Stinson
Lehman	Taylor
Little	Vale
Lock	Walters
Love	White
Lowry	Whitesides
Lucas	Winfree
McCann	
McGlasson	

Absent

Bruhl	McAlister
Bundy	McDonald
Celaya	Morgan
Cleveland	Reed of Dallas
Crosthwait	Rhodes
Evans	Sallas
Fuchs	Stanford
Harris of Dallas	Stubbs
Henderson	Thornton
Hobbs	Turner
Isaacks	Voigt
King	Wattner
Leyendecker	Weatherford
Lyle	

Absent—Excused

Allen	Huffman
Anderson	Moore
Dickson of Bexar	Nicholson
Dwyer	Sharpe

The Chair then laid House Bill No. 1050 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—113

Allison	Huddleston
Alsup	Hughes
Avant	Humphrey
Bailey	Hutchinson
Baker	Jones
Bean	Kelly
Bell	Kennedy
Benton	Kersey
Blankenship	Kinard
Boone	Klingeman
Brawner	Knight
Bray	Lansberry
Bridgers	Lehman
Brown	Little
Bullock	Lock
Burkett	Love
Burnaman	Lowry
Carlton	Lucas
Carrington	McCann
Cato	McGlasson
Chambers	McLellan
Coker	McMurry
Colson, Mrs.	McNamara
Connelly	Manford
Craig	Manning
Crossley	Markle
Daniel	Martin
Davis	Matthews
Deen	Mills
Dickson of Nolan	Montgomery
Donald	Morris
Dove	Morse
Duckett	Murray
Ellis	Pace
Eubank	Parker
Favors	Pevehouse
Ferguson	Phillips
Files	Price
Fitzgerald	Rampy
Gandy	Reed of Bowie
Garland	Ridgeway
Gilmer	Roark
Goodman	Roberts
Halsey	Senterfitt
Hanna	Shell
Hardeman	Simpson
Hargis	Skiles
Harris of Hill	Smith of Bastrop
Hartzog	Smith of Atascosa
Hefin	Spacek
Helpinstill	Spangler
Hileman	Stinson
Howard	Taylor
Howington	Vale
Hoyo	

Walters	Whitesides	Benton	Klingeman
White	Winfree	Blankenship	Lansberry
	Absent	Boone	Lehman
Bruhl	Lyle	Brawner	Leyendecker
Bundy	McAlister	Bray	Little
Celaya	McDonald	Bridgers	Lock
Clark	Morgan	Brown	Love
Cleveland	Reed of Dallas	Bullock	Lowry
Crosthwait	Rhodes	Burkett	Lucas
Evans	Sallas	Burnaman	Lyle
Fuchs	Stanford	Carlton	McAlister
Harris of Dallas	Stubbs	Cato	McCann
Henderson	Thornton	Chambers	McDonald
Hobbs	Turner	Coker	McGlasson
Isaacks	Voigt	Colson, Mrs.	McLellan
King	Wattner	Connelly	McMurry
Leyendecker	Weatherford	Craig	McNamara
	Absent—Excused	Crossley	Manning
Allen	Huffman	Daniel	Martin
Anderson	Moore	Davis	Matthews
Dickson of Bexar	Nicholson	Deen	Mills
Dwyer	Sharpe	Dickson of Nolan	Montgomery
HOUSE BILL NO. 1053 ON SECOND READING		Donald	Morris
(By unanimous consent)		Duckett	Morse
The Chair laid before the House, on its second reading and passage to engrossment,		Eubank	Murray
H. B. No. 1053, A bill to be en- titled "An Act amending Section Five (5) of House Bill No. 194, Acts of the 41st Legislature 1929, Chap- ter 292, by reducing the interest rate of bonds in which taxes re- mitted to the City of Port Arthur may be invested; and declaring an emergency."		Ferguson	Pace
The bill was read second time and was passed to engrossment.		Files	Parker
HOUSE BILL NO. 1053 ON THIRD READING		Fitzgerald	Pevehouse
Mr. Kinard moved that the Consti- tutional Rule requiring bills to be read on three several days be sus- pended and that House Bill No. 1053 be placed on its third reading and final passage.		Gandy	Price
The motion prevailed by the fol- lowing vote:		Garland	Rampy
Yeas—109		Gilmer	Reed of Bowie
Allison	Bailey	Goodman	Ridgeway
Alsup	Baker	Halsey	Rhodes
Avant	Bell	Hanna	Roark
		Hardeman	Roberts
		Hargis	Senterfitt
		Harris of Hill	Simpson
		Helpinstill	Smith of Bastrop
		Henderson	Smith of Atascosa
		Hileman	Spacek
		Howard	Spangler
		Howington	Stinson
		Hoyo	Taylor
		Huddleston	Thornton
		Hughes	Turner
		Humphrey	Vale
		Hutchinson	Voigt
		Jones	Wattner
		Kelly	Weatherford
		Kennedy	Whitesides
		Kersey	Winfree
		Kinard	
			Absent
		Bean	Dove
		Bruhl	Ellis
		Bundy	Evans
		Carrington	Favors
		Celaya	Fuchs
		Clark	Harris of Dallas
		Cleveland	Hartzog
		Crosthwait	Heflin

Hobbs	Reed of Dallas
Isaacks	Sallas
King	Shell
Knight	Skiles
Manford	Stanford
Markle	Stubbs
Morgan	Walters
Phillips	White

Absent—Excused

Allen	Huffman
Anderson	Moore
Dickson of Bexar	Nicholson
Dwyer	Sharpe

The Chair then laid House Bill No. 1053 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—110

Allison	Hanna
Alsup	Hardeman
Avant	Hargis
Bailey	Harris of Hill
Baker	Helpinstill
Bell	Henderson
Benton	Hileman
Blankenship	Howard
Boone	Howington
Brawner	Hoyo
Bray	Huddleston
Bridgers	Hughes
Brown	Humphrey
Bullock	Hutchinson
Burkett	Jones
Burnaman	Kelly
Carlton	Kennedy
Cato	Kersey
Chambers	Kinard
Clark	Klingeman
Coker	Lansberry
Colson, Mrs.	Lehman
Connelly	Leyendecker
Craig	Little
Crossley	Lock
Daniel	Loye
Davis	Lowry
Deen	Lucas
Dickson of Nolan	Lyle
Donald	McAlister
Duckett	McCann
Eubank	McDonald
Ferguson	McGlasson
Files	McLellan
Fitzgerald	McMurry
Gandy	McNamara
Garland	Manning
Gilmer	Martin
Goodman	Matthews
Halsey	Mills

Montgomery	Simpson
Morris	Smith of Bastrop
Morse	Smith of Atascosa
Murray	Spacek
Pace	Spangler
Parker	Stinson
Pevehouse	Taylor
Price	Thornton
Rampy	Turner
Reed of Bowie	Vale
Ridgeway	Voigt
Rhodes	Wattner
Roark	Weatherford
Roberts	Whitesides
Senterfitt	Winfree

Absent

Bean	Isaacks
Bruhl	King
Bundy	Knight
Carrington	Manford
Celaya	Markle
Cleveland	Morgan
Crosthwait	Phillips
Dove	Reed of Dallas
Ellis	Sallas
Evans	Shell
Favors	Skiles
Fuchs	Stanford
Harris of Dallas	Stubbs
Hartzog	Walters
Heflin	White
Hobbs	

Absent—Excused

Allen	Huffman
Anderson	Moore
Dickson of Bexar	Nicholson
Dwyer	Sharpe

HOUSE BILL NO. 1057 ON SECOND READING

(By unanimous consent)

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 1057, A bill to be entitled "An Act providing (1) an open season for quail in Cherokee County from December 1 in one year to January 16 in the following year, both days inclusive; (2) that it shall be lawful to kill quail in Cherokee County on Monday, Wednesday and Friday of each week, after the 1st day of December, 1941, and continuing until and including the 16th day of January, 1942, and during the same time each year thereafter on the same days of the week, etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1057 ON THIRD READING

Mr. Whitesides moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 1057 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—120

Allison	Goodman
Alsup	Halsey
Avant	Hanna
Bailey	Hardeman
Baker	Hargis
Bean	Harris of Dallas
Bell	Harris of Hill
Benton	Helpinstill
Blankenship	Henderson
Boone	Hileman
Brawner	Howard
Bray	Howington
Bridgers	Hoyo
Brown	Huddleston
Bruhl	Hughes
Bullock	Humphrey
Bundy	Hutchinson
Burkett	Jones
Burnaman	Kelly
Carlton	Kennedy
Cato	Kersey
Chambers	Kinard
Clark	Klingeman
Cleveland	Knight
Coker	Lansberry
Colson, Mrs.	Lehman
Connelly	Little
Craig	Lock
Crossley	Love
Crosthwait	Lucas
Daniel	Lyle
Davis	McAlister
Deen	McCann
Dickson of Nolan	McDonald
Donald	McGlasson
Duckett	McLellan
Ellis	McMurry
Eubank	McNamara
Ferguson	Manning
Files	Markle
Fitzgerald	Martin
Fuchs	Matthews
Gandy	Mills
Garland	Montgomery
Gilmer	Morris

Morse	Skiles
Murray	Smith of Atascosa
Pace	Spacek
Parker	Spangler
Pevehouse	Stinson
Phillips	Taylor
Price	Thornton
Rampy	Turner
Reed of Bowie	Vale
Ridgeway	Voigt
Rhodes	Walters
Roark	Wattner
Roberts	Weatherford
Senterfitt	Whitesides
Simpson	Winfree

Absent

Carrington	Lowry
Celaya	Manford
Dove	Morgan
Evans	Reed of Dallas
Favors	Sallas
Hartzog	Shell
Heflin	Smith of Bastrop
Hobbs	Stanford
Isaacks	Stubbs
King	White
Leyendecker	

Absent—Excused

Allen	Huffman
Anderson	Moore
Dickson of Bexar	Nicholson
Dwyer	Sharpe

The Chair then laid House Bill No. 1057 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—120

Allison	Carlton
Alsup	Cato
Avant	Chambers
Bailey	Clark
Baker	Cleveland
Bean	Coker
Bell	Colson, Mrs.
Benton	Connelly
Blankenship	Craig
Boone	Crossley
Brawner	Crosthwait
Bray	Daniel
Bridgers	Davis
Brown	Deen
Bruhl	Dickson of Nolan
Bullock	Donald
Bundy	Duckett
Burkett	Ellis
Burnaman	Eubank

Ferguson	McGlasson
Files	McLellan
Fitzgerald	McMurry
Fuchs	McNamara
Gandy	Manning
Garland	Markle
Gilmer	Martin
Goodman	Matthews
Halsey	Mills
Hanna	Montgomery
Hardeman	Morris
Hargis	Morse
Harris of Dallas	Murray
Harris of Hill	Pace
Helpinstill	Parker
Henderson	Pevehouse
Hileman	Phillips
Howard	Price
Howington	Rampy
Hoyo	Reed of Bowie
Huddleston	Ridgeway
Hughes	Rhodes
Humphrey	Roark
Hutchinson	Roberts
Jones	Senterfitt
Kelly	Simpson
Kennedy	Skiles
Kersey	Smith of Atascosa
Kinard	Spacek
Klingeman	Spangler
Knight	Stinson
Lansberry	Taylor
Lehman	Thornton
Little	Turner
Lock	Vale
Love	Voigt
Lucas	Walters
Lyle	Wattner
McAlister	Weatherford
McCann	Whitesides
McDonald	Winfree

Absent

Carrington	Lowry
Celaya	Manford
Dove	Morgan
Evans	Reed of Dallas
Favors	Sallas
Hartzog	Shell
Heflin	Smith of Bastrop
Hobbs	Stanford
Isaacks	Stubbs
King	White
Leyendecker	

Absent—Excused

Allen	Huffman
Anderson	Moore
Dickson of Bexar	Nicholson
Dwyer	Sharpe

HOUSE BILL NO. 1046 ON SECOND READING

(By unanimous consent)

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 1046, A bill to be entitled "An Act to amend Section I of House Bill No. 808 of the Regular Session of the 42nd Legislature, Chapter 69, Special Laws, page 157, as amended by House Bill No. 327 of the Regular Session of the 43rd Legislature, Chapter 34, Special Laws, page 42, providing for the taking of catfish, perch, buffalo and drum in the waters of Delta, Hopkins and Franklin Counties, by hand or with a seine or net having meshes one (1) inch square; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1046 ON THIRD READING

Mr. Walters moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 1046 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—112

Allison	Colson, Mrs.
Alsup	Craig
Avant	Crossley
Bailey	Crosthwait
Baker	Daniel
Bean	Davis
Bell	Deen
Benton	Dickson of Nolan
Blankenship	Donald
Brawner	Dove
Bray	Duckett
Bridgers	Favors
Brown	Ferguson
Bruhl	Fitzgerald
Bullock	Fuchs
Burkett	Garland
Cato	Gilmer
Chambers	Goodman
Clark	Halsey
Cleveland	Hanna
Coker	Hardeman

Hargis	Markle
Harris of Hill	Martin
Hartzog	Matthews
Helpinstill	Mills
Henderson	Montgomery
Hileman	Morris
Howard	Morse
Howington	Murray
Hoyo	Pace
Huddleston	Parker
Hughes	Pevehouse
Humphrey	Phillips
Hutchinson	Price
Jones	Rampy
Kelly	Reed of Bowie
Kennedy	Ridgeway
Kersey	Rhodes
Kinard	Roark
Klingeman	Roberts
Knight	Senterfitt
Lansberry	Simpson
Lehman	Skiles
Leyendecker	Smith of Atascosa
Little	Spacek
Lock	Spangler
Love	Stinson
Lucas	Taylor
Lyle	Thornton
McAlister	Turner
McCann	Vale
McDonald	Walters
McGlasson	Wattner
McLellan	Weatherford
McNamara	Whitesides
Manford	Winfree

Absent

Boone	Isaacks
Bundy	King
Burnaman	Lowry
Carlton	McMurry
Carrington	Manning
Celaya	Morgan
Connelly	Reed of Dallas
Ellis	Sallas
Eubank	Shell
Evans	Smith of Bastrop
Files	Stanford
Gandy	Stubbs
Harris of Dallas	Voigt
Heflin	White
Hobbs	

Absent—Excused

Allen	Huffman
Anderson	Moore
Dickson of Bexar	Nicholson
Dwyer	Sharpe

The Chair then laid House Bill No. 1046 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—112

Allison	Kelly
Alsup	Kennedy
Avant	Kersey
Bailey	Kinard
Baker	Klingeman
Bean	Knight
Bell	Lansberry
Benton	Lehman
Blankenship	Leyendecker
Brawner	Little
Bray	Lock
Bridgers	Love
Brown	Lucas
Bruhl	Lyle
Bullock	McAlister
Burkett	McCann
Cato	McDonald
Chambers	McGlasson
Clark	McLellan
Cleveland	McNamara
Coker	Manford
Colson, Mrs.	Markle
Craig	Martin
Crossley	Matthews
Crosthwait	Mills
Daniel	Montgomery
Davis	Morris
Deen	Morse
Dickson of Nolan	Murray
Donald	Pace
Dove	Parker
Duckett	Pevehouse
Favors	Phillips
Ferguson	Price
Fitzgerald	Rampy
Fuchs	Reed of Bowie
Garland	Ridgeway
Gilmer	Rhodes
Goodman	Roark
Halsey	Roberts
Hanna	Senterfitt
Hardeman	Simpson
Hargis	Skiles
Harris of Hill	Smith of Atascosa
Hartzog	Spacek
Helpinstill	Spangler
Henderson	Stinson
Hileman	Taylor
Howard	Thornton
Howington	Turner
Hoyo	Vale
Huddleston	Walters
Hughes	Wattner
Humphrey	Weatherford
Hutchinson	Whitesides
Jones	Winfree

Absent

Boone

Bundy

Burnaman	King
Carlton	Lowry
Carrington	McMurry
Celaya	Manning
Connelly	Morgan
Ellis	Reed of Dallas
Eubank	Sallas
Evans	Shell
Files	Smith of Bastrop
Gandy	Stanford
Harris of Dallas	Stubbs
Heflin	Voigt
Hobbs	White
Isaacks	

Absent—Excused

Allen	Huffman
Anderson	Moore
Dickson of Bexar	Nicholson
Dwyer	Sharpe

HOUSE BILL NO. 1058 ON SECOND READING

(By unanimous consent)

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 1058, A bill to be entitled "An Act amending House Bill No. 843 of the Regular Session of the Forty-seventh Legislature by adding a new section to be numbered Section 1a, and to provide exemption as to certain waters of Lake Corpus Christi; and declaring an emergency."

The bill was read second time.

Mr. Smith of Atascosa offered the following amendment to the bill:

Amend House Bill No. 1058 by striking out in Section One all language beginning with the phrase, "South of the north line," etc., and insert in lieu thereof the following:

"That section of Corpus Christi Lake located in Jim Wells and Nueces Counties."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1058 was then passed to engrossment.

HOUSE BILL NO. 1058 ON THIRD READING

Mr. Lyle moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 1058 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—112

Alsup	Hobbs
Bailey	Howard
Baker	Howington
Bean	Hoyo
Bell	Huddleston
Benton	Hughes
Blankenship	Humphrey
Boone	Hutchinson
Brawner	Isaacks
Bray	Jones
Bridgers	Kelly
Brown	Kennedy
Bruhl	Kersey
Bullock	Kinard
Burnaman	Klingeman
Carlton	Knight
Cato	Lansberry
Chambers	Lehman
Clark	Little
Cleveland	Love
Colson, Mrs.	Lucas
Connelly	Lyle
Craig	McAlister
Crossley	McCann
Crosthwait	McDonald
Davis	McGlasson
Deen	McLellan
Dickson of Nolan	McNamara
Donald	Manford
Dove	Markle
Duckett	Martin
Ellis	Matthews
Evans	Montgomery
Favors	Morgan
Ferguson	Morris
Files	Murray
Fitzgerald	Pace
Fuchs	Parker
Gandy	Pevehouse
Garland	Price
Gilmer	Rampy
Goodman	Reed of Bowie
Halsey	Ridgeway
Hanna	Rhodes
Hargis	Roark
Harris of Hill	Roberts
Hartzog	Senterfitt
Helpinstill	Simpson
Hileman	

Smith of Bastrop	Vale
Smith of Atascosa	Voigt
Spacek	Walters
Spangler	Wattner
Stinson	Weatherford
Stubbs	Whitesides
Taylor	Winfree
Thornton	

Absent

Allison	Leyendecker
Avant	Lock
Bundy	Lowry
Burkett	McMurry
Carrington	Manning
Celaya	Mills
Coker	Phillips
Daniel	Reed of Dallas
Eubank	Sallas
Hardeman	Shell
Harris of Dallas	Skiles
Heflin	Stanford
Henderson	Turner
King	White

Absent—Excused

Allen	Huffman
Anderson	Moore
Dickson of Bexar	Nicholson
Dwyer	Sharpe

The Chair then laid House Bill No. 1058 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—112

Alsup	Colson, Mrs.
Bailey	Connelly
Baker	Craig
Bean	Crossley
Bell	Crosthwait
Benton	Davis
Blankenship	Deen
Boone	Dickson of Nolan
Brawner	Donald
Bray	Dove
Bridgers	Duckett
Brown	Ellis
Bruhl	Evans
Bullock	Favors
Burnaman	Ferguson
Carlton	Files
Cato	Fitzgerald
Chambers	Fuchs
Clark	Gandy
Cleveland	Garland

Gilmer	Manford
Goodman	Markle
Halsey	Martin
Hanna	Matthews
Hargis	Montgomery
Harris of Hill	Morgan
Hartzog	Morris
Helpinstill	Murray
Hileman	Pace
Hobbs	Parker
Howard	Pevehouse
Howington	Price
Hoyo	Rampy
Huddleston	Reed of Bowie
Hughes	Ridgeway
Humphrey	Rhodes
Hutchinson	Roark
Isaacks	Roberts
Jones	Senterfitt
Kelly	Simpson
Kennedy	Smith of Bastrop
Kersey	Smith of Atascosa
Kinard	Spacek
Klingeman	Spangler
Knight	Stinson
Lansberry	Stubbs
Lehman	Taylor
Little	Thornton
Love	Vale
Lucas	Voigt
Lyle	Walters
McAlister	Wattner
McCann	Weatherford
McDonald	Whitesides
McGlasson	Winfree
McLellan	
McNamara	

Absent

Allison	Leyendecker
Avant	Lock
Bundy	Lowry
Burkett	McMurry
Carrington	Manning
Celaya	Mills
Coker	Phillips
Daniel	Reed of Dallas
Eubank	Sallas
Hardeman	Shell
Harris of Dallas	Skiles
Heflin	Stanford
Henderson	Turner
King	White

Absent—Excused

Allen	Huffman
Anderson	Moore
Dickson of Bexar	Nicholson
Dwyer	Sharpe

MESSAGE FROM THE SENATE

Austin, Texas, May 27, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has appointed, on the part of the Senate on House Concurrent Resolution No. 151, to escort Hon. Claude Pepper, the following committee:

Senators: Isbell, Shivers, Lovelady, Hazlewood and Brownlee.

Adopted

S. R. No. 152, Requesting the House to return to the Senate for correction, Senate Bill No. 453.

Respectfully,

BOB BARKER,

Secretary of the Senate.

(Speaker in the Chair.)

ADDRESS BY SENATOR
CLAUDE PEPPER

(In Joint Session)

In accordance with the provisions of House Concurrent Resolution No. 151, adopted by the House and Senate for the purpose of hearing Senator Claude Pepper, at 11:30 o'clock a. m., today, the Honorable Senators escorted by Hon. Bob Barker, Secretary of the Senate, were announced at the bar of the House and being duly admitted were escorted to seats prepared for them along the aisle.

Lieutenant Governor Coke R. Stevenson was escorted to a seat on the Speaker's stand.

Honorable Claude Pepper, Governor W. Lee O'Daniel and party, escorted by Senators Isbell, Shivers, Lovelady, Hazlewood, and Brownlee, Committee on the part of the Senate, and Messrs. Morris, Taylor, Stanford, Carrington, and Reed of Dallas, Committee on the part of the House, were announced at the bar of the House and were escorted to seats on the Speaker's stand.

Lieutenant Governor Coke R. Stevenson called the Senate to order and stated that the two Houses were in Joint Session for the purpose of hearing Senator Claude Pepper.

The Lieutenant Governor directed the clerk to call the roll of the Senate.

The roll of the Senate was called and the following Senators were present:

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York
Lovelady	

Absent—Excused

Spears Winfield

A quorum of the Senate was announced present.

Speaker Homer Leonard called the House to order and directed the Clerk to call the roll of the House.

The roll of the House was called and the following Members were present:

Mr. Speaker	Dickson of Nolan
Allison	Donald
Alsup	Dove
Avant	Duckett
Bailey	Ellis
Baker	Eubank
Bean	Evans
Bell	Favors
Benton	Ferguson
Blankenship	Files
Boone	Fitzgerald
Brawner	Fuchs
Bray	Gandy
Bridgers	Garland
Brown	Gilmer
Bruhl	Goodman
Bundy	Halsey
Burnaman	Hanna
Carlton	Hardeman
Carrington	Hargis
Cato	Harris of Dallas
Chambers	Harris of Hill
Clark	Hartzog
Cleveland	Heflin
Coker	Helpinstill
Colson, Mrs.	Henderson
Connelly	Hileman
Craig	Hobbs
Crossley	Howard
Crosthwait	Howington
Daniel	Hoyo
Davis	Huddleston
Deen	Hughes

Humphrey	Morse
Hutchinson	Murray
Isaacks	Pace
Jones	Parker
Kelly	Pevehouse
Kennedy	Phillips
Kersey	Price
King	Rampy
Klingeman	Reed of Bowie
Knight	Reed of Dallas
Lansberry	Ridgeway
Lehman	Rhodes
Little	Roark
Lock	Roberts
Love	Senterfitt
Lowry	Simpson
Lucas	Skiles
Lyle	Smith of Bastrop
McAlister	Smith of Atascosa
McCann	Spacek
McDonald	Spangler
McGlasson	Stanford
McLellan	Stinson
McMurry	Stubbs
McNamara	Taylor
Manford	Thornton
Manning	Vale
Markle	Voigt
Martin	Walters
Matthews	Wattner
Mills	Weatherford
Montgomery	White
Morgan	Whitesides
Morris	Winfree

Absent

Bullock	Leyendecker
Burkett	Sallas
Celaya	Shell
Kinard	Turner

Absent—Excused

Allen	Huffman
Anderson	Moore
Dickson of Bexar	Nicholson
Dwyer	Sharpe

A quorum of the House was announced present.

Speaker Leonard presented Honorable G. C. Morris of Hunt County, who in turn presented United States Senator from Florida, Senator Claude Pepper.

Senator Pepper then addressed the Joint Session and the Assemblage in part, as follows:

As I listened to this gentleman's words of introduction from your distinguished House Member

I was reminded of the story I heard in my State of a farmer who one day was driving a calf along a highway. He came to a bridge which spanned a stream in the middle of which the calf balked, planted his legs in front of him at an angle of about 45 degrees and placed his head between his legs. A motorist approaching from the rear, desiring to help the farmer, blew heavily on the horn when the frightened calf straightened himself and leaped over the banister of the bridge and broke his neck. When the farmer looked back he said, "Well, stranger, I appreciate what you tried to do, but that was a hell of a big toot for such a little calf."

When I think of Texas I think of the incident of an Englishman who came over to the United States for the first time. He landed in New York and immediately took a train to Los Angeles. He waited about four hours and rang the bell and the porter came and he said, "Are we nearing Los Angeles?" The porter said, "No." Then he waited about four more hours and, still more perplexed, the porter came back and he said, "Are we getting near Los Angeles?" The porter said, "No, sir." After four days and four nights the questions kept up. At the end of the fourth night the porter came back and said, "Los Angeles is the next stop," and the Englishman asked the porter, "Didn't Columbus discover this country?" The porter said "Yes." The Englishman replied, "I don't see how in the devil he could have missed it."

One cannot come near without seeing how big the ideals of Americans were in the days when they created Texas and built this Capitol. I am honored to have the privilege this morning of being before the Legislature of Texas. I said to some of the Members of your House this morning that I have never had happier moments than when I was privileged to serve in the House of Representatives of my State. I am greatly honored to be in a State which gave to America and the world, which gave to this generation the good and the great late lamented Senator Morris Sheppard. The Legislature of Texas sent Morris Sheppard to Washington and he honored this Leg-

islature, this State and this Nation as few men have in the tenure of his glorious services there. One of the greatest honors I have enjoyed was the privilege accorded me by Mrs. Sheppard of being one of three men to join in the eulogy that was given in one of the churches of Washington to the memory of Senator Sheppard. I was delighted to say at that time and now that Morris Sheppard is the one man in my time that could be placed in the category with Robert E. Lee. I thought there was no better way to sum up all that might be said about him than to refresh the recollection of him as the words of Shakespeare as he said over the body of Brutus: "His life was gentle; and the elements so mixed in him, that Nature might stand up and say to all the world, 'This was a man.'"

This is the first time I have been back to Texas since I was a citizen here. I had the privilege to live nine months in the State of Texas. A part of that time in Comanche County at De Leon, and the remainder of the time in Milam County at Ben Arnold.

I am going to have the privilege tomorrow afternoon of speaking in Waco, and during that privilege I will have the experience of seeing a buggy without horses. I saw my first automobile in Waco in 1905. It is still there.

Had I been older, of course, I should not have left Texas.

I wish it were possible to come to a legislative tribunal of this significance and value and bring a message of good cheer and encouragement. I come rather to bring a word of challenge to a great American State in the face of the conditions which now confront our country and our world.

The battle which is now raging, which will determine the destiny of the world, is not being fought upon the clean blue waters of the Mediterranean; it is not being fought in the waves of the Atlantic; it is not even on the coastline of embattled Britain. The destiny of the world is being fought on the battle field of American public opinion. The citadel of liberty is American sentiment, and if that citadel falls, all hope of the survival of freedom is

lost. I have said frequently that I thought the most difficult task will be what has gotten into the minds of this generation to paralyze its functioning.

Why is it men cannot see without eyes any more? Why cannot men hear with their own ears? Imagine what we have seen in our time. Most of us are young men, yet in our time we have seen a world made over. In the order of ideas our sight has been lost, not for the last twelve or fourteen months, but it has been lost for nearly a generation. They have reached their criteria and we have been making progress ourselves steadily and meritoriously.

Now, we have our backs to the wall and we have to make up our minds whether we are going to retreat into slavery or live as free men under our present system of government. Back in the dark Teutonic forests a nation of war was born and generation after generation has continued to be a menace to the peace of society and the peace of their fellow men. But first and last there is no God beyond the skies but that definitely lies in the German race. If that be right there is no hope beyond the grave to which even men must inevitably fall. There is no hope for mortality for even the soldier man.

In the second place they believe that "might is right" so that the divine and decisive refrain in all things is physical abilities, and they live by the sword that they may ultimately bring the world back into chaos or a prehistoric man. In the nature of things there must be a superior force in their estimation. They therefore denounce the whole dignity of the humble man. They have grown strong. They have the will to act with ruthless thoroughness and efficiency. They don't quibble while they are divided in counsel. At present the united front stands and serves well the entire world as last described by Chester.

Here in America we find people that counsel us of the same folly that has destroyed England. Years ago in all the things concerning Hitler he was outnumbered, he could not get outside his little country. Something happened—not to their minds but to their souls. Cocaine was shot

into the muscles of their defense and so satisfactorily that we saw the menace grow stronger, the misery grow greater. So often the cause of their country foundered they were leagued against or the men got shortsighted and were unable to do more than counsel their people to appeasement and cowardly surrender. Each one thought the misery would be past and would suffer on. There was ignominy in that attitude. They were thinking of self too much and not conscious of the subject of duty. If meritorious there would have been no chance of civilization when a race begins to sink to the level of self alone.

So today people are in this country to offset this great danger—not upon what is right, but what is * * * right but by what menaces the safety of America. What has happened to that America that liberated enslaved peoples in the other menace in the glorious days past? Who would profane memory of those men who died to rescue little Cuba and the people from 1914 to 1918? It was they got scared by the counsel of the President as far back as 1938 when he said we have to quarantine the world against this menace of Hitlerism. They said he was a warmonger. They denounced Roosevelt when he said, "Let us revise the Neutrality Act that has been put on our books, the error of which has made itself dreadfully manifest." That is an act of war. We cannot make Hitler mad. Let us tremble in our boots.

War as an instrument of national policy should be repudiated by every power and every nation had the right to send some kind of aid. When we proposed to put into the training camps of America our young men, our defense was challenged from the halls of Congress as dictatorship, not against Hitler, not against Mussolini, not Stalin—but against Roosevelt. And when the passage of the Lend-Lease Bill came up, they raised these same questions, false prophets mounted the rostrum and the platform and counseled the country against that terrible fellow.

I wonder how many of you know right after Dunkerque, England was stripped of all rifles and if it had not been for the fact of President

Roosevelt sending several thousand old rifles to the hard-pressed British the end would have come more than a year ago. If he had taken the counsel of the Wheelers, the Nyes and the Clarks and that idol with feet of clay Colonel Lindbergh, not a rifle would have gone to the other side for their defense. If you permit me to say, if I had to make a choice between the Lindbergh of 1927, that courageous young man who dared to soar into the trackless waste, and the Lindbergh of today, I would prefer the eagle. I hear every day from hundreds, of course. At the meeting in Madison Square Garden the other night just a few steps away sat the head of the Nazis and I suppose the white shirts and the pink shirts who take their orders from Mussolini, and I say the question now presents itself to the American people, "Have we lost our sentiment and the will to meet this menace while there is still time?"

If we look back over the whole strategic campaign that Hitler has followed, it is very easy to see what his purpose was and how his strategy works. Obviously he started to push back the little countries on his border. Obviously he tried to get possession of the strategic position becoming the menace of the Mediterranean. Now if he had the Mediterranean, with that little jackal Mussolini. Mussolini promised Hitler "all aid short of war."

You might have heard of the new Italian air attack. I was told they sent eleven 'chutists out on one of their new bombing planes and it took ten to push one out.

If Hitler had the people and resources of Europe under his iron heel and the Mediterranean in his possession, Africa would be an inviting territory ahead of him. That including the riches of the heart of Egypt and including the western coast line of Africa the most remote part of which Dakar was only 1600 miles from Brazil.

They knew if he had Europe, the Mediterranean and Africa already the defense of the near East would have come under his dominion, he would have the resources of the oil right in the palm of his hand and ahead of him would lie Africa and there would be the towering Himalayas over

which the lines of Alhambra marched through on the portals of India. So you have Napoleon and Hitler with their . . . stopped short of the pyramids—stopped short of the further reaches of their power. That means that the ultimate fact that one man for the first time in human history will stand with one foot on Europe and the other in Africa with Asia and the near East at his back. That is fast becoming a reality.

I asked the question the other day and I can still ask it in Texas—how many sheep does a dog have to kill to become a sheep killing dog? How many nations I ask you does Hitler have to take before the whole world should be able to see the character of the man? Is fifteen nations enough? Is Syria enough if you want to add another? You might as well add Turkey as he seems to have the noose around their neck. He is not going to penetrate the Mediterranean. He is going around.

In 1938 I was privileged to sit twenty feet away from Hitler and look into his dreadful eyes. He would crush a person with as little compunction as I would crush a rattle snake. That is the man that wrote a book in 1923 and published it to the world and said the Germans were said to be the race to rule the world.

From the day he first came into prominence he has been shouting it from the house tops.

In the old days if Jesse James had gone into a store and said "I will be here at 3 o'clock to rob your store," I suppose the storekeeper would have said "Did you hear that crazy man, he said he would be back here at 3 o'clock." That is Hitler's strategy and there are lots of people in America that think Hitler is such a little menace and hold up production for ten cents an hour, and there are a lot of manufacturers slowing down a little afraid this war will stop and wonder what they will do when the contract is over. Some men haggle for months over the terms of a contract that are keeping you and I and America from sending an expeditionary force if we send it at all.

The important thing now is to arouse public opinion. Let's make up our minds. I admit the responsibility of the Congress and we appre-

ciate that fine patriotic resolution this Legislature passed.

The best way to get something done is to arouse the people to such a pitch of patriotism that we shall not have a repetition of what happened during the coal strike when they haggled for days—John L. Lewis and the employers, whether the negotiators should meet in New York or Washington.

But if people are not aroused; if we believe that people should preach pacifism and that there is no danger if we hold up on the defense programs, we will continue to have strikes and lockouts and interruption in these vital moments.

I have said, and I repeat, the war mongers of America who have jeopardized our property to save England with materials necessary to carry on the war, for that is our one hope, I cannot believe and I will not believe that Americans are so blind they will let the only nation on the face of the earth that is our friend be crushed beneath this savage attack and let us stand alone against the assault of all the great nations of the world. Therefore, I said months ago and I repeat, "England cannot and shall not fail."

The most satisfactory article I have read I read here in the Capitol this morning when I saw that the hounds had hunted down the fox and destroyed it. That was one time I would have liked to have been in at the catch and seen it happen.

But it is a question of when and whether we shall come on time or too late. In the next five months, in my humble opinion, the issue shall be decided, if Hitler gets the Mediterranean and Africa and the near East.

I keep a globe in my study at home and watch the progress of the war every day. The next time you look at a globe look right here just across the coast of the Atlantic, and you will see the defense of Russia go down the coast to the Orient and you will see the little yellow devils in Japan. Then look across the Atlantic, across to the Arctic Circle to what perhaps, in a few weeks may be the top of Africa and extends the coast line of Hitler, including the Mediterranean and maybe Iceland and the Azores, and Dakar. Unless we keep that stretch open between

us then how are we going to get out without a final struggle between Hitler and ourselves?

I wish we could have saved the Hood. It has been one of our friends. A lot of people don't go back into their history enough to remember why it is we have been saved for the last one hundred years here in the Western Hemisphere. Some are so shortsighted to think it was the ocean.

But our safety first and last, we owe to the courage and statesmanship of the elder and wiser statesmen who made America what she is. I remind you that in the days immediately succeeding the fall of Naples the three mighty Americas of Europe called this South America, which had gained its independence by revolution. Then it was that certain conversations were heard in London by the American minister and they submitted proposals to the American Government prohibiting Europe being established in the Western Hemisphere. The proposal came to President Monroe and Thomas Jefferson was in Monticello and this was sent from Monroe to Jefferson. Jefferson gave the advice to Monroe as the one course to pursue for if he lost such power of the other world here, we must marry ourselves to the British fleet. I don't suppose the Wheelers and Lindberghs would call him a war monger. We were a little country then and we didn't have a large army or navy but we had courage. We had statesmen. They didn't wait until every street cleaner, farmer, cow puncher, and lawyer said wait until we tell you what to do. In the name of God, we put you into this leadership and we expect you to lead patriotically and as wisely as God has led you to do. Jefferson and Monroe didn't take a referendum, not even a Gallup poll. They saved the peace of America for over 100 years when they did it. We had a two-way navy. One the British and the other the American.

I don't pretend it was generosity on Britain's part. It was their influence and our interest that worked together as we will do more effectively now. But by working together we had a battleship in front of every exit from the old world toward the Western Hemisphere and we had another

navy screening this coast of ours. That was all right until something new happened.

One of the paradoxes of history is it was America opened Japan to civilization, which is now becoming a Frankenstein; that in half a century that ingenious people have come to be one of the powers of the world. They have learned every bad thing any one ever taught humanity and have followed it. There they are with their jaws open. Now the menace is from the Pacific too. The late Lord Halifax made the statement in the presence of the Secretary of the American navy, if the United States proposes to protect its borders it must do it in not two, but three places.

Now that the Hood is gone, other mighty giants of the sea are falling under it. In order to keep the life lines of Britain open in spite of the fact it is our national policy to make goods to save and protect, some are so cowardly, they fear to send the products from our factories to the first lines on the other side. I hope the President will take the courageous leadership and will tell the German navy that America expects Britain to get the goods. The method by which they get there is a naval problem. All we can say is "Mr. President, we trust you, go ahead, we are behind you." The step then becomes simple from our point of view.

First, if we make up our mind we are going to throw our hearts into this struggle and give notice to Hitler that he will not be permitted to conquer the earth, tell Britain we will not let you fall, it is simply a question of doing a few simple things to assure that result if it can now be assured. We must take off our coats and roll up our sleeves and go to work here in America and quit fooling around. The second is to see that Britain gets the material of war with which to carry on.

A telegram from Britain gave the figures that since August of last year 4022 children have been murdered and 3000 more seriously wounded.

Senator Wheeler concluded one of his great speeches with the question, "Do all the women in this audience want this country to go to war?" Of course, not one was willing and he

sat down. I said, "I didn't intend to take a referendum but suppose you and I have one." "All the women in this audience who want to keep the war in Europe and out of America hold up your hands, and all held up their hands and I said let's compare. One way of keeping your sons from going into South America is to stop Hitler in Europe before he can strike at us through South America. If we can come out with materials and get them to Britain keeping the sea lanes open—whether they come through Canada, New Zealand, if we can keep the sea lanes open, if we resort, as we have a right to do, to International Law that American ships have a right on any seas in the world if we see fit to go. If we see to it Britain gets the goods, if we keep the sea lanes open, if we keep the areas out of Hitler's hands so he cannot strangle Europe, then I have the confidence to believe that if we keep the iron ring on the fleet—if we keep the R. A. F. over it, we will tighten it until we choke this tyrant to death.

Now the question is when will we be able to make up our minds? What will the American people say to their President and their Congress, and when will they say it?

That is the reason I am here today—trying to carry a message to the people as much as I can in the week I have spared from my duties. I want the people to make up their minds—not here in Texas, but people in other areas of the north and northeast, not here in the south. I thank God for the south. We haven't lost the qualities that have made us respected by free people in the world, but I believe that in the south in a later day will probably be able to lead the nation to a * * * if we keep our eyes to the east that will keep our people from having to tell in a later time the sad story of an old man 90 years old in Georgia, that he told me.

My friend said to this aged and honored gentleman, "Were you in the Civil war?" He waited a few minutes to reply and finally slowly and sadly said, "Yes, too late. I was born of a Quaker family but we didn't believe in war. He said when all the men from our community were going to war my brothers and I

didn't go. We said we were not going to war unless they attacked our home. The war went on and we heard they were fighting up in Virginia and the Carolinas. Finally down in Tennessee. One day we heard Sherman was on the way to Atlanta. The family got together and we thought it better to stay and see if our home was in danger. Our home was 80 miles below Atlanta. We stayed at home still, and one day we looked up the road and there came a man on a horse and we met him down at the road, and we learned he was one of Johnson's men and he said they were just a mile distant from our place. We immediately got the old folks out of the house and sent them to the south. We got some old uniforms and we joined the remnants of General Johnson's army. There looked like 100,000 Yankees were coming in our direction. They approached a little ford. We did the best we could and they got a lot of our men. We finally retreated. We came back and the house had been burned down. There was nothing there but the burned embers of what was once our home. I guess I waited too late."

I hope future generations will not say we didn't appreciate the riches of our land or where our interests were. I would prefer to believe they will find America has kept her rendezvous with death, and things that men and women live for and if necessary die for, even the chaos of a Hitler hell, shall not prevail.

(On motion of Mr. Bean, the remarks of Senator Pepper were ordered printed in the Journal.)

SENATE RETIRES

At the conclusion of the Joint Session the Senate at 12:30 o'clock p. m., retired to its Chamber.

BILLS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House after giving due notice thereof and their captions had been read severally the following enrolled bills:

H. B. No. 948, "An Act creating Eolian Common School District No. 4 wholly established in Stephens

County, Texas, including therein the present Eolian Common School District, and certain territory in Stephens County not now a part of said district, defining its metes and bounds within Stephens County and repealing all laws and statutes in conflict herewith; and declaring an emergency."

H. B. No. 136, "An Act to promote, encourage, increase, and stimulate the use and sale of rice; to promote the prosperity and welfare of rice growers and producers in the State of Texas through the conducting of a publicity, sales promotion and development campaign; to conduct research in and develop new uses for rice and rice products; to levy and impose a tax or assessment on rice milled in the State of Texas, and to provide for the collection thereof to create a rice development fund; to create a rice development commission to administer and to control the rice development campaign, and to provide the powers, duties and authority and to define the terms of office of said commission; to provide when and how said levy or tax shall be paid and collected; to provide penalties for the violation of this Act; to provide for cooperation and joint action in said development campaign with officers, boards, commissions, departments or other authorities created or which may be created in the States of Louisiana and Arkansas upon which similar powers, duties and purposes have been or may be conferred; to repeal all laws or parts of laws in conflict herewith; fixing the effective date of the Act; and declaring an emergency."

H. B. No. 930, "An Act making certain emergency appropriations for the Adjutant General's Department incident to the support of the Texas Defense Guard and declaring an emergency."

H. B. No. 1003, "An Act amending Article 8221 of the Revised Civil Statutes of Texas of 1925 so as to provide that in any county with not less than one hundred thirty-five thousand (135,000) population and not more than one hundred ninety thousand (190,000) population, according to the last Federal Census, the county treasurer for acting as

treasurer of a navigation district, shall receive from such district as compensation for his service, a salary of Fifty (\$50.00) Dollars per month, and the premium on the official bond of the county treasurer shall be paid by the said Navigation and Canal Commissioners; and declaring an emergency."

H. B. No. 1039, "An Act defining and limiting the term 'Intrasate business' as used in Article XIV, House Bill No. 8, Acts of the Regular Session, 47th Legislature; and declaring an emergency."

H. B. No. 1052 "An Act applicable to water improvement districts deriving their powers from Art. XVI, Sec. 59, Constitution of Texas, in which there may be located a United States military camp or base; defining the word 'District'; authorizing such districts to issue negotiable revenue bonds in an amount not to exceed \$100,000 par value without the necessity of an election to provide funds for constructing or otherwise acquiring filtration and pumping equipment, pipe lines, and all other facilities for supplying water to military camps or bases; and authorizing such districts so desiring to issue any bonds for the purposes enumerated in this Act in an amount in excess of \$100,000 only after submitting such proposition to an election under the provisions of the general law governing same; etc., and declaring an emergency."

H. B. No. 351 "An Act providing for the creation of a class of common carrier motor carriers to be known as 'Specialized Motor Carriers' by amending Section 1, Chapter 314, Acts 1929, 41st Legislature, Regular Session, Page 698, as amended by Section 1, Chapter 277, Acts 1931, 42nd Legislature, Regular Session, Page 480, by adding subsection (i), defining 'Specialized Motor Carriers,' subsection (j), defining 'Special Facilities' and subsection (k), defining 'Special Motor Vehicles'; amending Section 5, Chapter 314, Acts 1929, 41st Legislature, Regular Session, Page 698, as amended by Section 5, Chapter 277, Acts 1931, 42nd Legislature, Regular Session, Page 480, by adding subsection 5 (a), providing for the issuance to 'Specialized Motor

Carriers' of certificates of public convenience and necessity by the Railroad Commission, providing that no 'Specialized Motor Carriers' shall operate over highways of this State without first having obtained a certificate of public convenience and necessity, and providing for the sale, assignment, lease, transfer and inheritance of such certificates; etc., and declaring an emergency."

MESSAGE FROM THE SENATE

Austin, Texas, May 27, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 458, A bill to be entitled "An Act making an appropriation, in addition to the several sums of money appropriated for such purposes by H. B. No. 271 of the 47th Legislature for law books, for the Courts of Civil Appeals; etc., and declaring an emergency."

S. B. No. 459, A bill to be entitled "An Act making an emergency appropriation out of the General Fund of the State of Texas to the Secretary of State for the purpose of printing and mailing supplemental franchise tax forms; etc., and declaring an emergency."

H. B. No. 594, A bill to be entitled "An Act making an appropriation out of the General Revenue of the State of Texas for the Secretary of State, for the purpose of compiling, editing, indexing, binding and distributing the current laws; etc., and declaring an emergency." (With amendment.)

H. B. No. 997, A bill to be entitled "An Act appropriating One Thousand Dollars (\$1,000) for the Commission of Appeals to the Court of Criminal Appeals; and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

RECESS

Mr. Smith of Atascosa, moved that the House adjourn until 10:00 o'clock a. m. tomorrow.

Mr. Bean moved that the House recess until 3:00 o'clock p. m. today.

The motion of Mr. Bean prevailed and the House accordingly at 12:35 o'clock p. m. took recess until 3:00 o'clock p. m. today.

AFTERNOON SESSION

The House met at 3:00 o'clock p. m. and was called to order by the Speaker.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence for this afternoon on account of important business:

Mr. Spangler and Mr. Morris on motion of Mr. Bell.

Mr. Harris of Dallas on motion of Mr. Bray.

Mr. Taylor on motion of Mr. Hargis.

Mr. Daniel on account of illness in family on motion of Mr. McLellan.

SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

S. B. No. 458, to the Committee on Appropriations.

S. B. No. 459, to the Committee on Appropriations.

HOUSE BILLS ON FIRST READING

Mrs. Colson asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 1065.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mrs. Colson:

H. B. No. 1065, A bill to be entitled "An Act providing that mutual life insurance companies and associations operating under Senate Bill No. 135, Acts of the Regular Session

of the Forty-sixth Legislature, may with the approval of the Board of Insurance Commissioners place provisions in the policies issued providing for the payment of reduced benefits or the exclusion of coverage if death or injury occurs while the insured is engaged in military, naval, aerial service or aerial flight in time of peace or war; or while engaged in certain hazardous occupations to be named in the policies; or if death or injury is caused by mob violence or legal execution; and providing for reducing or excluding benefits for sickness from certain named causes; providing a savings clause; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

Referred to the Committee on Insurance.

Mr. Alsup asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 1066.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Alsup:

H. B. No. 1066, A bill to be entitled "An Act making an appropriation of the sum of One Hundred and Fifty Thousand (\$150,000) Dollars, or so much thereof as may be necessary, out of any funds in the State Treasury, not otherwise appropriated, to pay the contingent expense, and to pay the mileage and per diem of members and the per diem of officers and employees of the Regular Session of the Forty-seventh Legislature; and declaring an emergency."

Referred to the Committee on Appropriations.

BILL ORDERED NOT PRINTED

On motion of Mrs. Colson, House Bill No. 1065 was ordered not printed.

**RELATIVE TO HOUSE BILL
NO. 1046**

On motion of Mr. Walters and by unanimous consent of the House, the caption of House Bill No. 1046 was ordered amended to conform to all

changes and with the body of the bill.

**RELATIVE TO HOUSE BILL
NO. 1058**

On motion of Mr. Lyle and by unanimous consent of the House, the Engrossing Clerk was authorized to make certain corrective changes in House Bill No. 1058.

**HOUSE BILL NO. 594 WITH
SENATE AMENDMENTS**

Mr. Reed of Dallas called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 594, A bill to be entitled "An Act making an appropriation out of the General Revenue of the State of Texas for the Secretary of State, for the purpose of compiling, editing, indexing, binding, and distributing the current laws; making the same immediately available; and declaring an emergency."

On motion of Mr. Reed of Dallas, the House concurred in the Senate amendments by the following vote:

Yeas—118

Allison	Dickson of Bexar
Alsup	Dickson of Nolan
Avant	Donald
Bailey	Duckett
Baker	Ellis
Bell	Eubank
Benton	Favors
Blankenship	Ferguson
Boone	Fitzgerald
Bray	Gandy
Bridgers	Garland
Brown	Goodman
Bruhl	Halsey
Bullock	Hardeman
Bundy	Hargis
Burnaman	Harris of Hill
Carlton	Hartzog
Carrington	Heflin
Cato	Helpinstill
Celaya	Henderson
Chambers	Hileman
Clark	Hobbs
Cleveland	Howington
Coker	Hoyo
Colson, Mrs.	Hughes
Connelly	Humphrey
Craig	Hutchinson
Crossley	Isaacks
Crothwait	Jones
Deen	Kennedy

Kersey	Parker
Kinard	Pevehouse
King	Phillips
Klingeman	Price
Knight	Rampy
Lansberry	Reed of Bowie
Lehman	Reed of Dallas
Leyendecker	Ridgeway
Little	Roberts
Lock	Senterfitt
Love	Shell
Lowry	Simpson
Lucas	Skiles
Lyle	Smith of Bastrop
McAlister	Smith of Atascosa
McCann	Spacek
McGlasson	Stanford
McMurry	Stinson
McNamara	Stubbs
Manford	Thornton
Manning	Turner
Markle	Vale
Martin	Voigt
Matthews	Walters
Mills	Wattner
Montgomery	Weatherford
Morse	White
Murray	Whitesides
Pace	Winfree

Absent

Bean	Howard
Brawner	Huddleston
Burkett	Kelly
Davis	McDonald
Dove	McLellan
Evans	Morgan
Fuchs	Rhodes
Gilmer	Roark
Hanna	Sallas

Absent—Excused

Allen	Moore
Anderson	Morris
Daniel	Nicholson
Dwyer	Sharpe
Files	Spangler
Harris of Dallas	Taylor
Huffman	

**HOUSE BILL NO. 166 ON PASSAGE
TO ENGROSSMENT**

Mr. Bullock moved that the House take up and consider, at this time, House Bill No. 166.

The bill having heretofore been laid on the table subject to call and notice given that same would be called from the table today.

The motion prevailed.

The Speaker then laid before the House on its passage to engrossment,

H. B. No. 166, A bill to be entitled "An Act to amend Articles 4557, 4558, 4559, 4561, 4562, Title 71, of the Revised Civil Statutes of Texas, 1925, requiring all persons desiring to practice optometry in Texas to pass an examination; repealing all laws or parts of laws in conflict with this Act; declaring that the remainder of the Act shall not be affected by the unconstitutionality or invalidity of any part thereof; and declaring an emergency."

The bill having heretofore been read second time.

Mr. Lowry offered the following amendment to the bill:

Amend House Bill No. 166 by inserting after the word "Board" in line 37, page 1, of the printed copy of House Bill No. 166, the following:

"Provided that nothing in this Act shall be construed so as to prevent any person from taking the required examinations who had registered prior to the effective date of this Act and who had filed his intention to begin studying optometry in the office of a duly licensed optometrist."

The amendment was adopted.

By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 166 was then passed to engrossment.

**HOUSE BILL NO. 166 ON THIRD
READING**

Mr. Bullock moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 166 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—99

Allison	Benton
Alsup	Boone
Avant	Bray
Baker	Bridgers
Bell	Brown

Bullock	Leyendecker
Burnaman	Little
Carrington	Lock
Cato	Love
Chambers	Lyle
Clark	McCann
Cleveland	McDonald
Coker	McGlasson
Colson, Mrs.	McMurry
Connelly	McNamara
Craig	Manning
Crossley	Markle
Crothwait	Matthews
Deen	Mills
Dickson of Bexar	Montgomery
Dickson of Nolan	Morse
Donald	Murray
Duckett	Pace
Ellis	Pevehouse
Evans	Price
Ferguson	Rampy
Fitzgerald	Reed of Bowie
Gandy	Reed of Dallas
Goodman	Ridgeway
Halsey	Roberts
Hargis	Senterfitt
Hartzog	Simpson
Heflin	Skiles
Helpinstill	Smith of Bastrop
Henderson	Smith of Atascosa
Hileman	Spack
Hobbs	Stanford
Howington	Stinson
Hoyo	Stubbs
Hughes	Thornton
Humphrey	Turner
Hutchinson	Vale
Isaacks	Voigt
Kelly	Walters
Kennedy	Wattner
Kersey	Weatherford
Kinard	White
Knight	Whitesides
Lansberry	Winfree
Lehman	

Nays—9

Bailey	King
Bruhl	Lucas
Bundy	McLellan
Garland	Martin
Jones	

Present—Not Voting

Harris of Hill

Absent

Bean	Carlton
Blankenship	Celaya
Brawner	Davis
Burkett	Dove

Eubank	McAlister
Favors	Manford
Fuchs	Morgan
Gilmer	Parker
Hanna	Phillips
Hardeman	Rhodes
Howard	Roark
Huddleston	Sallas
Klingeman	Shell
Lowry	

Absent—Excused

Allen	Moore
Anderson	Morris
Daniel	Nicholson
Dwyer	Sharpe
Files	Spangler
Harris of Dallas	Taylor
Huffman	

The Speaker then laid House Bill No. 166 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—106

Allison	Evans
Alsup	Ferguson
Avant	Fitzgerald
Baker	Gandy
Bell	Goodman
Benton	Halsey
Blankenship	Hardeman
Boone	Hargis
Brawner	Hartzog
Bray	Heflin
Bridgers	Helpinstill
Brown	Henderson
Bullock	Hileman
Bundy	Hobbs
Burkett	Hoyo
Burnaman	Hughes
Carlton	Humphrey
Carrington	Hutchinson
Cato	Isaacks
Chambers	Jones
Clark	Kelly
Cleveland	Kennedy
Coker	Kersey
Colson, Mrs.	Kinard
Connelly	Knight
Craig	Lansberry
Crossley	Leyendecker
Crothwait	Little
Deen	Lock
Dickson of Bexar	Love
Dickson of Nolan	Lyle
Duckett	McCann
Ellis	McDonald
Eubank	McGlasson

McMurry	Roberts
McNamara	Senterfitt
Manford	Shell
Manning	Skiles
Markle	Smith of Bastrop
Martin	Smith of Atascosa
Matthews	Spacek
Mills	Stanford
Montgomery	Stinson
Morse	Stubbs
Murray	Thornton
Pace	Vale
Parker	Voigt
Pevehouse	Walters
Price	Wattner
Rampy	Weatherford
Reed of Bowie	White
Reed of Dallas	Whitesides
Ridgeway	Winfree

Nays—11

Bailey	Klingeman
Donald	Lowry
Favors	Lucas
Garland	McLellan
Howington	Sallas
King	

Present—Not Voting

Harris of Hill

Absent

Bean	Huddleston
Bruhl	Lehman
Celaya	McAlister
Davis	Morgan
Dove	Phillips
Fuchs	Rhodes
Gilmer	Roark
Hanna	Simpson
Howard	Turner

Absent—Excused

Allen	Moore
Anderson	Morris
Daniel	Nicholson
Dwyer	Sharpe
Files	Spangler
Harris of Dallas	Taylor
Huffman	

HOUSE BILL NO. 1059 ON SECOND READING

(By unanimous consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1059, A bill to be entitled "An Act to amend Section 40

of Senate Bill No. 36, Acts of the Forty-sixth Legislature, to provide the effective date for making grants of aid and assistance to the needy blind and for destitute dependent children; making an appropriation for providing and administering aid to the blind for the period from May 1, 1941 to August 31, 1941; making an appropriation for providing and administering aid and assistance for destitute dependent children for the period from May 1, 1941, to August 31, 1941; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1059 ON THIRD READING

Mr. Alsup moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 1059 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118

Allison	Dickson of Nolan
Alsup	Donald
Avant	Dove
Bailey	Duckett
Baker	Ellis
Bell	Evans
Benton	Favors
Blankenship	Ferguson
Boone	Fitzgerald
Bray	Fuchs
Bridgers	Gandy
Brown	Garland
Bruhl	Goodman
Bullock	Halsey
Bundy	Hardeman
Burnaman	Hargis
Carlton	Harris of Hill
Carrington	Hartzog
Cato	Helpinstill
Chambers	Henderson
Clark	Hileman
Cleveland	Hobbs
Coker	Howington
Colson, Mrs.	Hoyo
Connelly	Hughes
Craig	Humphrey
Crossley	Hutchinson
Crosthwait	Jones
Deen	Kelly
Dickson of Bexar	Kennedy

Kersey	Parker	Boone	Knight
Kinard	Pevehouse	Bray	Lansberry
Klingeman	Price	Bridgers	Lehman
Knight	Rampy	Brown	Leyendecker
Lansberry	Reed of Bowie	Bruhl	Little
Lehman	Reed of Dallas	Bullock	Lock
Leyendecker	Ridgeway	Bundy	Love
Little	Roark	Burnaman	Lowry
Lock	Roberts	Carlton	Lucas
Love	Senterfitt	Carrington	Lyle
Lowry	Shell	Cato	McCann
Lucas	Simpson	Chambers	McDonald
Lyle	Skiles	Clark	McGlasson
McCann	Smith of Bastrop	Cleveland	McLellan
McDonald	Smith of Atascosa	Coker	McMurry
McGlasson	Spacek	Colson, Mrs.	McNamara
McLellan	Stanford	Connelly	Manford
McMurry	Stinson	Craig	Manning
McNamara	Stubbs	Crossley	Markle
Manford	Thornton	Crosthwait	Martin
Manning	Turner	Deen	Matthews
Markle	Vale	Dickson of Bexar	Mills
Martin	Voigt	Dickson of Nolan	Montgomery
Matthews	Walters	Donald	Morse
Mills	Wattner	Dove	Murray
Montgomery	Weatherford	Duckett	Pace
Morse	White	Ellis	Parker
Murray	Whitesides	Evans	Pevehouse
Pace	Winfree	Favors	Price
		Ferguson	Rampy
		Fitzgerald	Reed of Bowie
		Fuchs	Reed of Dallas
		Gandy	Ridgeway
		Garland	Roark
		Goodman	Roberts
		Halsey	Senterfitt
		Hardeman	Shell
		Hargis	Simpson
		Harris of Hill	Skiles
		Hartzog	Smith of Bastrop
		Helpinstill	Smith of Atascosa
		Henderson	Spacek
		Hileman	Stanford
		Hobbs	Stinson
		Howington	Stubbs
		Hoyo	Thornton
		Hughes	Turner
		Humphrey	Vale
		Hutchinson	Voigt
		Jones	Walters
		Kelly	Wattner
		Kennedy	Weatherford
		Kersey	White
		Kinard	Whitesides
		Klingeman	Winfree
			Absent
			Bean
			Brawner
			Burkett
			Celaya
			Davis
			Eubank
			Gilmer
			Hanna
			Heflin
			Howard
			Allen
			Anderson
			Daniel
			Dwyer
			Files
			Harris of Dallas
			Huffman
			The Speaker then laid House Bill No. 1059 before the House on third reading and final passage.
			The bill was read third time and was passed by the following vote:
			Yeas—118
			Allison
			Alsup
			Avant
			Bailey
			Baker
			Bell
			Benton
			Blankenship
			Moore
			Morris
			Nicholson
			Sharpe
			Spangler
			Taylor

Huddleston	Morgan
Isaacks	Phillips
King	Rhodes
McAlister	Sallas

Absent—Excused

Allen	Moore
Anderson	Morris
Daniel	Nicholson
Dwyer	Sharpe
Files	Spangler
Harris of Dallas	Taylor
Huffman	

HOUSE BILL NO. 222 ON SECOND READING

(By unanimous consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 222, A bill to be entitled "An Act to amend Article 2978, Revised Civil Statutes, 1925, by adding thereto a new article prescribing additional requirements for the official ballot in general elections."

The bill was read second time.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 222 was then passed to engrossment.

HOUSE BILL NO. 222 ON THIRD READING

Mr. Benton moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 222 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118

Allison	Bridgers
Alsup	Brown
Avant	Bruhl
Bailey	Bullock
Baker	Bundy
Bell	Burnaman
Benton	Carlton
Blankenship	Carrington
Boone	Cato
Brawner	Chambers
Bray	Clark

Cleveland	Lock
Coker	Love
Colson, Mrs.	Lowry
Connelly	Lucas
Craig	Lyle
Crossley	McCann
Deen	McDonald
Dickson of Bexar	McLellan
Dickson of Nolan	McMurry
Donald	McNamara
Dove	Manford
Duckett	Manning
Ellis	Markle
Evans	Martin
Favors	Matthews
Ferguson	Mills
Fitzgerald	Montgomery
Fuchs	Morse
Gandy	Murray
Garland	Pace
Goodman	Parker
Halsey	Pevehouse
Hardeman	Price
Hargis	Rampy
Harris of Hill	Reed of Bowie
Hartzog	Reed of Dallas
Helpinstill	Ridgeway
Henderson	Roark
Hileman	Roberts
Hobbs	Senterfitt
Howard	Shell
Howington	Simpson
Hoyo	Skiles
Huddleston	Smith of Bastrop
Hughes	Smith of Atascosa
Humphrey	Spacek
Hutchinson	Stanford
Isaacks	Stinson
Jones	Walters
Kelly	Stubbs
Kennedy	Thornton
Kersey	Turner
Klingeman	Vale
Knight	Voigt
Lansberry	Wattner
Lehman	Weatherford
Leyendecker	White
Little	Winfree

Absent

Bean	Kinard
Burkett	King
Celaya	McAlister
Crosthwait	McGlasson
Davis	Morgan
Eubank	Phillips
Gilmer	Rhodes
Hanna	Sallas
Hefin	Whitesides

Absent—Excused

Allen	Dwyer
Anderson	Files
Daniel	Harris of Dallas

Huffman
Moore
Morris
Nicholson

Sharpe
Spangler
Taylor

The Speaker then laid House Bill No. 222 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—118

Allison	Hileman
Alsup	Hobbs
Avant	Howard
Bailey	Howington
Baker	Hoyo
Bell	Huddleston
Benton	Hughes
Blankenship	Humphrey
Boone	Hutchinson
Brawner	Isaacks
Bray	Jones
Bridgers	Kelly
Brown	Kennedy
Bruhl	Kersey
Bullock	Klingeman
Bundy	Knight
Burnaman	Lansberry
Carlton	Lehman
Carrington	Leyendecker
Cato	Little
Chambers	Lock
Clark	Love
Cleveland	Lowry
Coker	Lucas
Colson, Mrs.	Lyle
Connelly	McCann
Craig	McDonald
Crossley	McLellan
Deen	McMurry
Dickson of Bexar	McNamara
Dickson of Nolan	Manford
Donald	Manning
Dove	Markle
Duckett	Martin
Ellis	Matthews
Evans	Mills
Favors	Montgomery
Ferguson	Morse
Fitzgerald	Murray
Fuchs	Pace
Gandy	Parker
Garland	Pevehouse
Goodman	Price
Halsey	Rampy
Hardeman	Reed of Bowie
Hargis	Reed of Dallas
Harris of Hill	Ridgeway
Hartzog	Roark
Helpinstill	Roberts
Henderson	Senterfitt

Shell
Simpson
Skiles
Smith of Bastrop
Smith of Atascosa
Spacek
Stanford
Stinson
Walters

Stubbs
Thornton
Turner
Vale
Voigt
Wattner
Weatherford
White
Winfree

Absent

Bean	Kinard
Burkett	King
Celaya	McAlister
Crosthwait	McGlasson
Davis	Morgan
Eubank	Phillips
Gilmer	Rhodes
Hanna	Sallas
Heflin	Whitesides

Absent—Excused

Allen	Moore
Anderson	Morris
Daniel	Nicholson
Dwyer	Sharpe
Files	Spangler
Harris of Dallas	Taylor
Huffman	

MOTION TO PLACE HOUSE BILL NO. 512 ON SECOND READING

Mr. Evans moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time,

H. B. No. 512, A bill to be entitled "An Act regulating the solemnization and validity of marriages in Texas; providing that no marriage entered into in a State or country other than Texas shall ever be valid in this State, if the parties or either of them thereto are forbidden by the laws of Texas to intermarry; providing that the Act shall not affect any marriage entered into in this State prior to the effective date hereof; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

The motion was lost.

HOUSE BILL NO. 457 ON SECOND READING

(By unanimous consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 457, A bill to be entitled "An Act amending Article 3810,

Title 56, of the Revised Civil Statutes of Texas of 1925, providing for sales to be made under powers conferred by any Deed of Trust or other contract lien, and providing the manner in which notice shall be given thereof; and declaring an emergency."

The bill was read second time.

Mr. Lansberry offered the following committee amendment to the bill:

Amend House Bill No. 457, page 2, line 3, of the original bill, by adding after the word "owner" the following:

"and/or record owners and all record junior lien holders."

Mr. Lansberry offered the following amendment to the committee amendment:

Amend Committee Amendment No. 1 of House Bill No. 457 by placing a comma after the word "holders" in line 13 of the printed amendment the following:

"And such person or persons mailing such notices shall execute an affidavit to that effect and file the said affidavit for record in the County Clerk's office which original affidavit or the record thereof shall be admissible in evidence to prove such notices were mailed."

The amendment was adopted.

The committee amendment, as amended, was then adopted.

Mr. Lansberry offered the following committee amendment to the bill:

Amend House Bill No. 457 by striking out all above the enacting clause and inserting in lieu thereof the following:

"An Act amending Article 3810, Title 56 of the Revised Civil Statutes of Texas of 1925, providing for sales to be made under powers conferred by any deed of trust or other contract lien, and providing the manner in which notices shall be given thereof, and providing the parties to whom notices shall be given, and declaring an emergency."

The committee amendment was adopted.

By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 457 was then passed to engrossment.

HOUSE BILL NO. 457 ON THIRD READING

Mr. Lansberry moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 457 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—95

Allison	Heflin
Alsup	Helpinstill
Avant	Henderson
Bailey	Hileman
Baker	Hobbs
Bell	Huddleston
Benton	Hughes
Brawner	Hutchinson
Bray	Isaacks
Bridgers	Kersey
Brown	Kinard
Bullock	King
Burnaman	Klingeman
Carlton	Lansberry
Carrington	Lehman
Cato	Leyendecker
Celaya	Lock
Clark	Lowry
Cleveland	Lucas
Coker	Lyle
Colson, Mrs.	McCann
Connelly	McMurry
Craig	McNamara
Crossley	Manford
Crosthwait	Manning
Dickson of Bexar	Matthews
Dickson of Nolan	Montgomery
Donald	Morse
Dove	Murray
Duckett	Pace
Favors	Parker
Ferguson	Pevehouse
Fitzgerald	Price
Fuchs	Rampy
Gandy	Reed of Bowie
Garland	Reed of Dallas
Goodman	Ridgeway
Hanna	Rhodes
Hargis	Roark
Harris of Hill	Roberts
Hartzog	Senterfitt

Shell	Vale
Smith of Bastrop	Walters
Smith of Atascosa	Wattner
Spacek	Weatherford
Stubbs	Whitesides
Thornton	Winfree
Turner	

Nays—12

Boone	Kennedy
Ellis	Knight
Evans	Love
Halsey	Markle
Howington	Simpson
Jones	Stinson

Absent

Bean	Little
Blankenship	McAlister
Bruhl	McDonald
Bundy	McGlasson
Burkett	McLellan
Chambers	Martin
Davis	Mills
Deen	Morgan
Eubank	Phillips
Gilmer	Sallas
Hardeman	Skiles
Howard	Stanford
Hoyo	Voigt
Humphrey	White
Kelly	

Absent—Excused

Allen	Moore
Anderson	Morris
Daniel	Nicholson
Dwyer	Sharpe
Files	Spangler
Harris of Dallas	Taylor
Huffman	

The Speaker then laid House Bill No. 457 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—93

Allison	Celaya
Alsup	Chambers
Avant	Clark
Bailey	Cleveland
Baker	Coker
Benton	Colson, Mrs.
Blankenship	Connelly
Brawner	Crossley
Bray	Crothwait
Bridgers	Davis
Burnaman	Dickson of Bexar
Carlton	Dickson of Nolan
Carrington	Donald
Cato	Dove

Duckett	McMurry
Evans	Manford
Favors	Manning
Ferguson	Matthews
Fitzgerald	Montgomery
Fuchs	Morgan
Gandy	Morse
Garland	Murray
Hargis	Pace
Harris of Hill	Parker
Hartzog	Pevehouse
Heflin	Price
Helpinstill	Rampy
Henderson	Reed of Bowie
Hileman	Reed of Dallas
Hobbs	Ridgeway
Huddleston	Rhodes
Hughes	Roark
Hutchinson	Senterfitt
Isaacks	Shell
Kinard	Smith of Atascosa
King	Spacek
Klingeman	Stanford
Lansberry	Stubbs
Lehman	Thornton
Leyendecker	Turner
Lock	Vale
Lowry	Walters
Lucas	Wattner
Lyle	Weatherford
McCann	Whitesides
McDonald	Winfree
McLellan	

Nays—19

Boone	Kennedy
Bullock	Kersey
Craig	Knight
Ellis	Love
Goodman	Markle
Halsey	Roberts
Hanna	Simpson
Howington	Stinson
Jones	Voigt
Kelly	

Absent

Bean	Humphrey
Bell	Little
Brown	McAlister
Bruhl	McGlasson
Bundy	McNamara
Burkett	Martin
Deen	Mills
Eubank	Phillips
Gilmer	Sallas
Hardeman	Skiles
Howard	Smith of Bastrop
Hoyo	White

Absent—Excused

Allen	Daniel
Anderson	Dwyer

Files
Harris of Dallas
Huffman
Moore
Morris

Nicholson
Sharpe
Spangler
Taylor

HOUSE BILL NO. 524 ON
SECOND READING

Mr. Spacek moved to call from the table, at this time, House Bill No. 524.

There was no objection offered and it was so ordered.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 524, A bill to be entitled "An Act amending Article 3899, Revised Civil Statutes of Texas, 1925, as amended by Chapter 311, Acts of the Forty-fourth Legislature, Regular Session, and Chapter 465, Acts of the Second Called Session, Forty-fourth Legislature; and by Chapter 498, Acts of the Forty-fifth Legislature, to provide that premium on official bonds for county treasurers, county auditors, county road commissioners, county school superintendents, and hide and animal inspectors, and their deputies, shall be paid from county funds; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 524 ON
THIRD READING

Mr. Spacek moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that House Bill No. 524 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—115

Allison	Burkett
Avant	Burnaman
Bailey	Carlton
Baker	Carrington
Bell	Cato
Benton	Chambers
Blankenship	Clark
Boone	Cleveland
Brawner	Coker
Bray	Colson, Mrs.
Bridgers	Connelly
Bullock	Craig
Bundy	Crossley

Crosthwait	Lucas
Davis	Lyle
Deen	McCann
Dickson of Bexar	McDonald
Dickson of Nolan	McGlasson
Donald	McLellan
Duckett	McMurry
Ellis	McNamara
Evans	Manford
Favors	Manning
Ferguson	Markle
Fitzgerald	Martin
Fuchs	Matthews
Gandy	Mills
Garland	Montgomery
Goodman	Morgan
Halsey	Morse
Hanna	Murray
Hargis	Pace
Harris of Hill	Pevehouse
Heflin	Price
Helpinstill	Rampy
Henderson	Reed of Bowie
Hileman	Reed of Dallas
Hobbs	Ridgeway
Howington	Rhodes
Hoyo	Roark
Huddleston	Senterfitt
Hughes	Simpson
Humphrey	Skiles
Hutchinson	Smith of Bastrop
Isaacks	Spacek
Jones	Stanford
Kelly	Stinson
Kennedy	Stubbs
Kersey	Thornton
Klingeman	Turner
Knight	Vale
Lansberry	Walters
Lehman	Wattner
Leyendecker	Weatherford
Little	White
Lock	Whitesides
Love	Winfree
Lowry	

Nays—4

Bruhl	Smith of Atascosa
Roberts	Voigt

Absent

Alsup	Howard
Bean	Kinard
Brown	King
Celaya	McAlister
Dove	Parker
Eubank	Phillips
Gilmer	Sallas
Hardeman	Shell
Hartzog	

Absent—Excused

Allen	Daniel
Anderson	Dwyer

Files	Nicholson
Harris of Dallas	Sharpe
Huffman	Spangler
Moore	Taylor
Morris	

The Speaker then laid House Bill No. 524 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—115

Allison	Hileman
Avant	Hobbs
Bailey	Howington
Baker	Hoyo
Bell	Huddleston
Benton	Hughes
Blankenship	Humphrey
Boone	Hutchinson
Brawner	Isaacks
Bray	Jones
Bridgers	Kelly
Bullock	Kennedy
Bundy	Kersey
Burkett	Klingeman
Burnaman	Knight
Carlton	Lansberry
Carrington	Lehman
Cato	Leyendecker
Chambers	Little
Clark	Lock
Cleveland	Love
Coker	Lowry
Colson, Mrs.	Lucas
Connelly	Lyle
Craig	McCann
Crossley	McDonald
Crosthwait	McGlasson
Davis	McLellan
Deen	McMurry
Dickson of Bexar	McNamara
Dickson of Nolan	Manford
Donald	Manning
Duckett	Markle
Ellis	Martin
Evans	Matthews
Favors	Mills
Ferguson	Montgomery
Fitzgerald	Morgan
Fuchs	Morse
Gandy	Murray
Garland	Pace
Goodman	Pevehouse
Halsey	Price
Hanna	Rampy
Hargis	Reed of Bowie
Harris of Hill	Reed of Dallas
Heflin	Ridgeway
Helpinstill	Rhodes
Henderson	Roark

Senterfitt	Turner
Simpson	Vale
Skiles	Walters
Smith of Bastrop	Wattner
Spacek	Weatherford
Stanford	White
Stinson	Whitesides
Stubbs	Winfree
Thornton	

Nays—4

Bruhl	Smith of Atascosa
Roberts	Voigt

Absent

Alsup	Howard
Bean	Kinard
Brown	King
Celaya	McAlister
Dove	Parker
Eubank	Phillips
Gilmer	Sallas
Hardeman	Shell
Hartzog	

Absent—Excused

Allen	Moore
Anderson	Morris
Daniel	Nicholson
Dwyer	Sharpe
Files	Spangler
Harris of Dallas	Taylor
Huffman	

(Mr. Burnaman in the Chair.)

HOUSE BILL NO. 379 ON
SECOND READING

Mr. McLellan moved that the necessary Rules be suspended for the purpose of taking up and considering at this time, House Bill No. 379.

The motion prevailed.

The Chair then laid before the House, on its second reading and passage to engrossment,

H. B. No. 379, A bill to be entitled "An Act amending Article 879a-4, the Revised Penal Statutes of Texas, 1925, to change the open season for mourning doves and white-winged doves in the remainder of the State not excepted, to the months of November 1 and December 31; and declaring an emergency."

The bill was read second time.

Mr. McLellan offered the following committee amendment to the bill:

Amend House Bill No. 379 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. Section 1 of Article 881b, Vernon's Texas Statutes, 1936, is hereby amended to hereafter read as follows:

"Sec. 1. It shall be unlawful for anyone to hunt, take, or pursue any wild duck, wild goose, wild brant, wild snipe, wild coot, wild gallinule, wild rail, wild mourning dove, or wild white-winged dove at any time other than during the open season provided for the taking, hunting or pursuing of such game birds, or to have in possession any of such game birds, or to kill in any one day, any week, or any open season, any of such game birds in excess of the bag limit provided for such period. For the purpose of this Act 'open season' is hereby defined as the period of time when it shall be lawful to take, kill, pursue, or attempt to take, kill, any of the game birds named in the Act, and 'bag limit,' for the purpose of this Act, is defined as the maximum number of any game birds, or aggregate of same, that any person may kill, take, or possess during any period for which such a bag limit is provided. Be it further provided that all of the provisions, stipulations, and directions given in this Act shall apply in all particulars to each and every one of the game birds named in this Section."

Sec. 2. Section 3 of Article 881b, Penal Code of the State of Texas, Vernon's Texas Statutes, 1936, is hereby amended to hereafter read as follows:

"Sec. 3. All laws, or parts of laws, providing an open season for wild ducks, wild geese, wild brant, wild snipe, wild coot, wild rail, wild gallinule, wild mourning doves, or wild white-winged doves, or any of them, or bag limit, or possession limit, pertaining to such birds, or any of them in so far as they pertain to such open seasons and bag limits, be and the same are hereby repealed."

Sec. 3. The fact that Article 881b directs the Game, Fish and Oyster Commission to fix open season and bag limits for the taking of wild ducks and certain other species of migratory birds, and whereas it is the desire of the Legislature of Texas that the authority be extended to the Game, Fish and Oyster Commission for regulating the taking of mourning doves and white-winged

doves, creates an emergency and imperative public necessity requiring that the Constitutional Rule providing that bills be read on three several days in each House be suspended, and same is hereby suspended, and this Act shall be in full force and effect from and after its passage, and it is so enacted.

Mr. Hartzog offered the following amendment to the committee amendment:

Amend Committee Amendment No. 1 to House Bill No. 379 by adding at the end of Section 1 the following:

"In order to determine additional factual information, and the desires of the people in regard to the need for concurrent seasons, zones, hunting days, and bag limits, or other proposed regulations affecting the taking of white wing doves, and/or mourning doves, the Game, Fish and Oyster Commission shall conduct, or have conducted, not less than three (3) public hearings in different sections of the State, and shall comply with such wishes in so far as they are consistent with the principles of this Act, the supply of white wing doves and mourning doves, and without jeopardizing the future supply of such birds, or either of them.

The amendment to the committee amendment was adopted.

(Speaker in the Chair.)

Mr. Manning offered the following amendment to the committee amendment:

Amend House Bill No. 379 by adding:

"This bill shall not apply to Shelby, and Panola Counties."

MANNING,
ALSUP.

(Mr. Ridgeway in the Chair.)

On motion of Mr. Hileman and by unanimous consent of the House the amendment was amended so as to include Cass County.

Mr. Hartzog moved to table the amendment by Mr. Manning.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—39

Bell	Kersey
Burnaman	Klingeman
Cato	Lowry
Cleveland	McCann
Coker	McLellan
Crossley	McMurry
Crosthwait	Manford
Dickson of Nolan	Markle
Donald	Matthews
Dove	Mills
Duckett	Morse
Ellis	Murray
Fitzgerald	Pevehouse
Hardeman	Price
Heflin	Senterfitt
Helpinstill	Spacek
Hobbs	Vale
Hoyo	Weatherford
Humphrey	Whitesides
Isaacks	

Nays—68

Allison	Jones
Alsup	Kennedy
Avant	King
Bailey	Knight
Benton	Lansberry
Blankenship	Lehman
Boone	Leyendecker
Brawner	Little
Bray	Lock
Bridgers	Love
Brown	Lucas
Bruhl	McNamara
Carlton	Manning
Chambers	Martin
Connelly	Pace
Craig	Parker
Davis	Phillips
Dickson of Bexar	Rampy
Evans	Reed of Bowie
Ferguson	Reed of Dallas
Fuchs	Rhodes
Gandy	Roark
Garland	Roberts
Goodman	Sallas
Halsey	Simpson
Hanna	Smith of Bastrop
Hargis	Smith of Atascosa
Harris of Hill	Stinson
Henderson	Stubbs
Hileman	Turner
Howington	Voigt
Huddleston	Walters
Hughes	Wattner
Hutchinson	Winfree

Present—Not Voting

Morgan	Thornton
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Absent

Baker	Hartzog
Bean	Howard
Bullock	Kelly
Bundy	Kinard
Burkett	Lyle
Carrington	McAlister
Celaya	McDonald
Clark	McGlasson
Colson, Mrs.	Montgomery
Deen	Shell
Eubank	Skiles
Favors	Stanford
Gilmer	White

Absent—Excused

Allen	Moore
Anderson	Morris
Daniel	Nicholson
Dwyer	Sharpe
Files	Spangler
Harris of Dallas	Taylor
Huffman	

Question recurring on the amendment by Mr. Manning, it was adopted.

Mr. Craig offered the following amendment to the committee amendment:

This bill shall not include Hemp-hill, Roberts, Ochiltree, Lipscomb, Hutchinson, Moore, Hartley, Dal-ham, Sherman, and Hansford Coun-ties.

The amendment was adopted.

Mr. Favors offered the following amendment to the committee amend-ment:

Amend committee amendment to House Bill No. 379 by excepting from the provisions thereof, Gray, Wheeler, Donley and Collingsworth Counties.

Question: Shall the amendment by Mr. Favors to the committee amendment be adopted?

REQUEST OF SENATE GRANTED

On motion of Mr. Spacek the House granted the request of the Senate for the return of Senate Bill No. 453.

HOUSE BILL NO. 1036 ON
SECOND READING

(By unanimous consent)

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 1036, A bill to be entitled "An Act validating all consolidated rural high school districts having a scholastic population of not less than 250 and not more than 700 according to the last preceding scholastic enumeration, and located in counties having a population of not less than thirty-one thousand one hundred and twenty (31,120) and not more than thirty-one thousand one hundred and thirty (31,130) inhabitants according to the last preceding Federal Census, created by an Act of the County Board of Trustees out of a district or districts which had therefore been a consolidated school district or districts; validating all elections, the levying of taxes, bond issues and taxes levied therefor and all bonds voted but not issued; providing that this Act shall not apply to any district now involved in tax litigation; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1036 ON THIRD READING

Mr. Sallas moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 1036 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Allison	Colson, Mrs.
Alsup	Connelly
Bailey	Craig
Bell	Crossley
Benton	Crosthwait
Blankenship	Davis
Boone	Deen
Brawner	Dickson of Bexar
Bray	Dickson of Nolan
Bridgers	Donald
Brown	Dove
Bruhl	Duckett
Bullock	Ellis
Bundy	Evans
Burkett	Favors
Burnaman	Ferguson
Carlton	Fitzgerald
Carrington	Fuchs
Cato	Gandy
Chambers	Garland
Clark	Goodman
Cleveland	Halsey
Coker	Hanna

Harris of Hill
Hefin
Helpinstill
Henderson
Hileman
Hobbs
Howard
Howington
Hoyo
Huddleston
Hughes
Humphrey
Hutchinson
Jones
Kennedy
Kersey
Kinard
King
Klingeman
Knight
Lansberry
Lehman
Leyendecker
Little
Lock
Love
Lowry
Lucas
Lyle
McCann
McGlasson
McMurry
McNamara
Manford
Manning
Markle
Martin

Matthews
Mills
Montgomery
Morse
Murray
Pace
Parker
Pevehouse
Phillips
Price
Rampy
Reed of Bowie
Reed of Dallas
Ridgeway
Rhodes
Roark
Roberts
Sallas
Senterfitt
Shell
Simpson
Skiles
Smith of Bastrop
Smith of Atascosa
Spacek
Stinson
Stubbs
Thornton
Turner
Vale
Voigt
Walters
Wattner
Weatherford
White
Winfree

Absent

Avant	Isaacks
Baker	Kelly
Bean	McAlister
Celaya	McDonald
Eubank	McLellan
Gilmer	Morgan
Hardeman	Stanford
Hargis	Whitesides
Hartzog	

Absent—Excused

Allen	Moore
Anderson	Morris
Daniel	Nicholson
Dwyer	Sharpe
Files	Spangler
Harris of Dallas	Taylor
Huffman	

The Chair then laid House Bill No. 1036 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—119	
Allison	Kennedy
Alsup	Kersey
Bailey	Kinard
Bell	King
Benton	Klingeman
Blankenship	Knight
Boone	Lansberry
Brawner	Lehman
Bray	Leyendecker
Bridgers	Little
Brown	Lock
Bruhl	Love
Bullock	Lowry
Bundy	Lucas
Burkett	Lyle
Burnaman	McCann
Carlton	McGlasson
Carrington	McMurry
Cato	McNamara
Chambers	Manford
Clark	Manning
Cleveland	Markle
Coker	Martin
Colson, Mrs.	Matthews
Connelly	Mills
Craig	Montgomery
Crossley	Morse
Crosthwait	Murray
Davis	Pace
Deen	Parker
Dickson of Bexar	Pevehouse
Dickson of Nolan	Phillips
Donald	Price
Dove	Rampy
Duckett	Reed of Bowie
Ellis	Reed of Dallas
Evans	Ridgeway
Favors	Rhodes
Ferguson	Roark
Fitzgerald	Roberts
Fuchs	Sallas
Gandy	Senterfitt
Garland	Shell
Goodman	Simpson
Halsey	Skiles
Hanna	Smith of Bastrop
Harris of Hill	Smith of Atascosa
Heflin	Spacek
Helpinstill	Stinson
Henderson	Stubbs
Hileman	Thornton
Hobbs	Turner
Howard	Vale
Howington	Voigt
Hoyo	Walters
Huddleston	Wattner
Hughes	Weatherford
Humphrey	White
Hutchinson	Winfree
Jones	

Absent	
Avant	Isaacks
Baker	Kelly
Bean	McAlister
Celaya	McDonald
Eubank	McLellan
Gilmer	Morgan
Hardeman	Stanford
Hargis	Whitesides
Hartzog	

Absent—Excused

Allen	Moore
Anderson	Morris
Daniel	Nicholson
Dwyer	Sharpe
Files	Spangler
Harris of Dallas	Taylor
Huffman	

HOUSE BILL NO. 1011 ON
THIRD READING

Mr. Montgomery moved that the necessary rules be suspended for the purpose of taking up and considering at this time, House Bill No. 1011.

The motion prevailed.

(Speaker in the Chair.)

The Speaker then laid before the House, on its third reading and final passage,

H. B. No. 1011, A bill to be entitled "An Act appropriating the sum of Three Hundred Thousand Dollars (\$300,000) out of any funds in the State Treasury, not otherwise appropriated, annually, for the purpose of providing permanent funds or revenue for the Firemen's Relief and Retirement Fund' created by House Bill No. 258, Chapter 125, page 229, of the General Laws of the Regular Session of the 45th Legislature, approved April 9th, 1937; providing for the disbursement thereof; and declaring an emergency."

The bill was read third time.

Mr. Alsup moved to postpone further consideration of House Bill No. 1011 until 11:00 o'clock a. m. next Friday.

Mr. Montgomery moved to table the motion to postpone.

The motion to table prevailed.

House Bill No. 1011 was then passed by the following vote:

Yeas—99

Allison	Avant
Alsup	Bean

Bell	Leyendecker
Blankenship	Little
Boone	Lock
Brawner	Love
Bridgers	Lowry
Brown	Lucas
Bruhl	Lyle
Bullock	McAlister
Burnaman	McCann
Cato	McDonald
Celaya	McGlasson
Cleveland	McLellan
Colson, Mrs.	McMurry
Crosthwait	McNamara
Davis	Manning
Deen	Markle
Dickson of Bexar	Martin
Dickson of Nolan	Matthews
Donald	Mills
Dove	Montgomery
Duckett	Morgan
Ellis	Morse
Evans	Murray
Ferguson	Pace
Fuchs	Pevehouse
Gandy	Phillips
Goodman	Rampy
Halsey	Reed of Bowie
Hardeman	Reed of Dallas
Hargis	Ridgeway
Harris of Dallas	Rhodes
Hartzog	Roark
Heflin	Roberts
Helpinstill	Sallas
Henderson	Simpson
Hileman	Smith of Bastrop
Hobbs	Spacek
Howard	Stinson
Hoyo	Stubbs
Huddleston	Thornton
Hughes	Turner
Hutchinson	Vale
Isaacks	Walters
Kennedy	Weatherford
Kinard	White
Klingeman	Whitesides
Knight	Winfree
Lehman	

Nays—19

Bailey	Garland
Bray	Howington
Burkett	Humphrey
Carrington	Kersey
Chambers	Lansberry
Coker	Parker
Craig	Senterfitt
Crossley	Smith of Atascosa
Favors	Wattner
Fitzgerald	

Absent

Baker	Bundy
Benton	Carlton

Clark	King
Connelly	Manford
Eubank	Price
Gilmer	Shell
Hanna	Skiles
Harris of Hill	Stanford
Jones	Voigt
Kelly	

Absent—Excused

Allen	Moore
Anderson	Morris
Daniel	Nicholson
Dwyer	Sharpe
Files	Spangler
Huffman	Taylor

Mr. Montgomery moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 963 ON
THIRD READING

Mr. Manning moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time, House Bill No. 963.

The motion prevailed.

The Speaker then laid before the House, on its third reading and final passage,

H. B. No. 963, A bill to be entitled "An Act appropriating out of the State General Revenue Fund the sum of One Thousand (\$1,000.00) Dollars to the Eddins Common School District, No. 62, Shelby County, Texas, to be used by said school district in rebuilding a public school house within the district."

The bill was read third time and was passed by the following vote:

Yeas—69

Allison	Dickson of Bexar
Alsup	Donald
Avant	Dove
Bailey	Duckett
Bean	Evans
Boone	Ferguson
Bray	Fuchs
Bridgers	Goodman
Brown	Halsey
Bruhl	Harris of Hill
Bullock	Hartzog
Cato	Helpinstill
Celaya	Henderson
Coker	Hileman
Connelly	Hobbs
Deen	Huddleston

Humphrey	Montgomery
Hutchinson	Morse
Isaacks	Pace
Kennedy	Parker
Klingeman	Pevehouse
Knight	Price
Leyendecker	Rampy
Little	Ridgeway
Lock	Rhodes
Lowry	Roark
Lucas	Sallas
McCann	Simpson
McGlasson	Spacek
McMurry	Stubbs
McNamara	Turner
Manford	Vale
Manning	White
Matthews	Whitesides
Mills	

Nays—41

Benton	Lansberry
Blankenship	Lehman
Burkett	Love
Carlton	Lyle
Cleveland	McLellan
Craig	Markle
Crossley	Murray
Crosthwait	Phillips
Davis	Reed of Bowie
Ellis	Reed of Dallas
Favors	Roberts
Fitzgerald	Senterfitt
Garland	Smith of Bastrop
Hanna	Smith of Atascosa
Hardeman	Stinson
Howard	Thornton
Howington	Voigt
Hoyo	Walters
Hughes	Wattner
Kersey	Weatherford
King	

Absent

Baker	Hargis
Bell	Heflin
Brawner	Jones
Bundy	Kelly
Burnaman	Kinard
Carrington	McAlister
Chambers	McDonald
Clark	Martin
Colson, Mrs.	Morgan
Dickson of Nolan	Shell
Eubank	Skiles
Gandy	Stanford
Gilmer	Winfree

Absent—Excused

Allen	Files
Anderson	Harris of Dallas
Daniel	Huffman
Dwyer	Moore

Morris	Spangler
Nicholson	Taylor
Sharpe	

**MOTION TO PLACE HOUSE BILL
NO. 1027 ON SECOND
READING**

Mr. Isaacks moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time,

H. B. No. 1027, A bill to be entitled "An Act to amend Article 5073, Title 79, Revised Civil Statutes, providing that there shall be taxed as costs for attorney's fee one-half of the amount of the judgment rendered under said Article, and providing for a minimum amount of said attorney's fee costs."

The motion was lost by the following vote:

Yeas—53

Allison	Lansberry
Bailey	Lucas
Benton	Lyle
Bruhl	McLellan
Burkett	Markle
Burnaman	Martin
Carrington	Morse
Celaya	Murray
Chambers	Phillips
Coker	Price
Dickson of Bexar	Rampy
Donald	Sallas
Ellis	Senterfitt
Favors	Simpson
Fuchs	Smith of Bastrop
Hargis	Smith of Atascosa
Hartzog	Spacek
Helpinstill	Stanford
Hileman	Stubbs
Hobbs	Thornton
Howington	Turner
Hughes	Voigt
Humphrey	Wattner
Hutchinson	White
Isaacks	Whitesides
King	Winfree
Klingeman	

Nays—61

Alsup	Bullock
Avant	Bundy
Bean	Carlton
Bell	Cato
Blankenship	Cleveland
Boone	Connelly
Bray	Craig

Crossley	Little
Crosthwait	Lock
Davis	Love
Dickson of Nolan	Lowry
Duckett	McCann
Eubank	McDonald
Evans	McGlasson
Ferguson	McMurry
Fitzgerald	McNamara
Garland	Manning
Goodman	Mills
Halsey	Montgomery
Hanna	Morgan
Heflin	Pace
Henderson	Parker
Howard	Pevehouse
Hoyo	Reed of Bowie
Huddleston	Reed of Dallas
Kelly	Rhodes
Kennedy	Roberts
Kersey	Stinson
Kinard	Vale
Knight	Weatherford
Lehman	

Absent

Baker	Harris of Hill
Brawner	Jones
Bridgers	Leyendecker
Brown	McAlister
Clark	Manford
Colson, Mrs.	Matthews
Deen	Roark
Dove	Shell
Gandy	Skiles
Gilmer	Walters
Hardeman	

Absent—Excused

Allen	Moore
Anderson	Morris
Daniel	Nicholson
Dwyer	Ridgeway
Files	Sharpe
Harris of Dallas	Spangler
Huffman	Taylor

**HOUSE BILL NO. 996 ON
SECOND READING**

Mr. Stinson moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time, House Bill No. 996.

The motion prevailed.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 996, A bill to be entitled "An Act amending Section 6 of

House Bill No. 303, Chapter 245, page 856 of the Acts of the Regular Session of the Forty-third Legislature, as amended by House Bill No. 373, Chapter 264, page 651, Acts of the Regular Session of the Forty-fourth Legislature, as amended by House Bill No. 893, Chapter 257 of the Acts of the Regular Session of the Forty-fifth Legislature, as amended by House Bill No. 626, Chapter 7, page 414 of the Acts of the Regular Session of the Forty-sixth Legislature; repealing all laws or parts of laws with reference to examination of organizations operating under House Bill No. 303, Acts of the Forty-third Legislature in conflict; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**HOUSE BILL NO. 996 ON
THIRD READING**

Mr. Stinson moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that House Bill No. 996 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107

Allison	Dickson of Nolan
Alsup	Duckett
Avant	Ellis
Bailey	Evans
Bean	Ferguson
Benton	Fitzgerald
Blankenship	Fuchs
Boone	Garland
Brawner	Gilmer
Bray	Goodman
Bridgers	Hanna
Bruhl	Hargis
Bullock	Harris of Hill
Bundy	Heflin
Burnaman	Helpinstill
Carrington	Henderson
Celaya	Hileman
Clark	Howard
Cleveland	Hoyo
Coker	Huddleston
Colson, Mrs.	Hughes
Connelly	Humphrey
Crossley	Hutchinson
Crosthwait	Isaacks
Davis	Jones
Deen	Kelly
Dickson of Bexar	Kennedy

Kersey	Phillips
Kinard	Price
King	Rampy
Knight	Reed of Bowie
Lansberry	Reed of Dallas
Lehman	Rhodes
Little	Roark
Love	Roberts
Lowry	Sallas
Lucas	Simpson
Lyle	Skiles
McCann	Smith of Bastrop
McGlasson	Smith of Atascosa
McLellan	Spacek
McNamara	Stinson
Manford	Stubbs
Markle	Thornton
Martin	Turner
Matthews	Vale
Mills	Voigt
Montgomery	Walters
Morgan	Wattner
Morse	Weatherford
Murray	White
Pace	Whitesides
Parker	Winfree
Pevehouse	

Nays—8

Carlton	Halsey
Craig	Hobbs
Donald	Howington
Favors	Senterfitt

Absent

Baker	Hartzog
Bell	Klingeman
Brown	Leyendecker
Burkett	Lock
Cato	McAlister
Chambers	McDonald
Dove	McMurry
Eubank	Manning
Gandy	Shell
Hardeman	Stanford

Absent—Excused

Allen	Moore
Anderson	Morris
Daniel	Nicholson
Dwyer	Ridgeway
Files	Sharpe
Harris of Dallas	Spangler
Huffman	Taylor

The Speaker then laid House Bill No. 996 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—107

Allison	Kersey
Alsup	Kinard
Avant	King
Bailey	Knight
Bean	Lansberry
Benton	Lehman
Blankenship	Little
Boone	Love
Brawner	Lowry
Bray	Lucas
Bridgers	Lyle
Bruhl	McCann
Bullock	McGlasson
Bundy	McLellan
Burnaman	McNamara
Carrington	Manford
Celaya	Markle
Clark	Martin
Cleveland	Matthews
Coker	Mills
Colson, Mrs.	Montgomery
Connelly	Morgan
Crossley	Morse
Crosthwait	Murray
Davis	Pace
Deen	Parker
Dickson of Bexar	Pevehouse
Dickson of Nolan	Phillips
Duckett	Price
Ellis	Rampy
Evans	Reed of Bowie
Ferguson	Reed of Dallas
Fitzgerald	Rhodes
Fuchs	Roark
Garland	Roberts
Gilmer	Sallas
Goodman	Simpson
Hanna	Skiles
Hargis	Smith of Bastrop
Harris of Hill	Smith of Atascosa
Heflin	Spacek
Helpinstill	Stinson
Henderson	Stubbs
Hileman	Thornton
Howard	Turner
Hoyo	Vale
Huddleston	Voigt
Hughes	Walters
Humphrey	Wattner
Hutchinson	Weatherford
Isaacks	White
Jones	Whitesides
Kelly	Winfree
Kennedy	

Nays—8

Carlton	Halsey
Craig	Hobbs
Donald	Howington
Favors	Senterfitt

[illegible]

H. B. No. 1065, A bill to be entitled "An Act providing that mutual life insurance companies and associations operating under Senate Bill No. 135, Acts of the Regular Session of the Forty-sixth Legislature, may with the approval of the Board of Insurance Commissioners place provisions in the policies issued providing for the payment of reduced benefits or the exclusion of coverage if death or injury occurs while the insured is engaged in military, naval, aerial service or aerial flight in time of peace or war; or while engaged in certain hazardous occupations to be named in the policies; or if death or injury is caused by mob violence or legal execution; and providing for reducing or excluding benefits for sickness from certain named causes; providing a savings clause; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 1065 ON
THIRD READING

The Speaker then laid House Bill No. 1065 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—107

Allison	Crothwait
Alsup	Davis
Avant	Dickson of Bexar
Bailey	Dickson of Nolan
Bell	Dove
Benton	Duckett
Blankenship	Ellis
Brawner	Eubank
Bray	Evans
Bridgers	Ferguson
Brown	Fitzgerald
Bruhl	Fuchs
Bundy	Garland
Burkett	Gilmer
Burnaman	Halsey
Carrington	Hanna
Cato	Hardeman
Chambers	Hargis
Clark	Harris of Hill
Cleveland	Hartzog
Coker	Heflin
Colson, Mrs.	Helpinstill
Connelly	Henderson
Crossley	Hileman

Hobbs	Morse
Hoyo	Pace
Huddleston	Parker
Humphrey	Pevehouse
Isaacks	Phillips
Jones	Price
Kelly	Rampy
Kennedy	Reed of Dallas
Kersey	Rhodes
Knight	Roark
Lansberry	Roberts
Lehman	Sallas
Little	Simpson
Lock	Skiles
Love	Smith of Bastrop
Lowry	Spacek
Lucas	Stanford
Lyle	Stinson
McCann	Stubbs
McGlasson	Thornton
McLellan	Turner
McMurry	Vale
McNamara	Voigt
Manford	Walters
Markle	Wattner
Martin	Weatherford
Matthews	White
Mills	Whitesides
Montgomery	Winfree
Morgan	

Nays—12

Carlton	Hughes
Craig	King
Deen	Murray
Donald	Reed of Bowie
Favors	Senterfitt
Howington	Smith of Atascosa

Absent

Baker	Hutchinson
Bean	Kinard
Boone	Klingeman
Bullock	Leyendecker
Celaya	McAlister
Gandy	McDonald
Goodman	Manning
Howard	Shell

Absent—Excused

Allen	Moore
Anderson	Morris
Daniel	Nicholson
Dwyer	Ridgeway
Files	Sharpe
Harris of Dallas	Spangler
Huffman	Taylor

Mrs. Colson moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

**MOTION TO SET HOUSE BILL NO.
275 FOR SPECIAL ORDER**

Mr. Bean moved that House Bill No. 275 be set for special order at 11:00 o'clock a. m., next Friday.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—69

Allison	Lansberry
Alsup	Little
Avant	Lock
Bailey	Love
Bean	Lowry
Bell	Lyle
Benton	McCann
Blankenship	McGlasson
Boone	McLellan
Bray	McNamara
Bridgers	Markle
Brown	Martin
Burkett	Matthews
Burnaman	Mills
Carlton	Morgan
Chambers	Morse
Coker	Face
Connelly	Pevehouse
Craig	Phillips
Crossley	Price
Deen	Rampy
Dickson of Bexar	Roark
Dickson of Nolan	Roberts
Dove	Sallas
Evans	Simpson
Ferguson	Smith of Atascosa
Halsey	Stinson
Hargis	Stubbs
Hartzog	Thornton
Helpinstill	Turner
Hobbs	Vale
Hughes	Wattner
Kennedy	Whitesides
Kersey	Winfree
Kinard	

Nays—44

Brawner	Fitzgerald
Bullock	Fuchs
Cato	Garland
Clark	Harris of Hill
Cleveland	Heflin
Colson, Mrs.	Henderson
Crosthwait	Hileman
Davis	Howington
Donald	Hoyo
Duckett	Huddleston
Ellis	Humphrey
Eubank	Jones
Favors	Kelly

King	Reed of Dallas
Knight	Rhodes
Lehman	Senterfitt
Lucas	Skiles
McMurry	Spacek
Montgomery	Stanford
Murray	Voigt
Parker	Walters
Reed of Bowie	Weatherford

Absent

Baker	Hutchinson
Bruhl	Isaacks
Bundy	Klingeman
Carrington	Leyendecker
Celaya	McAlister
Gandy	McDonald
Gilmer	Manford
Goodman	Manning
Hanna	Shell
Hardeman	Smith of Bastrop
Howard	White

Absent—Excused

Allen	Moore
Anderson	Morris
Daniel	Nicholson
Dwyer	Ridgeway
Files	Sharpe
Harris of Dallas	Spangler
Huffman	Taylor

SPECIAL ORDER SET

Mr. McMurry moved that House Bill No. 79 be set for special order at 11:00 o'clock a. m., next Friday.

The motion prevailed by the following vote:

Yeas—81

Allison	Deen
Avant	Dickson of Bexar
Bean	Donald
Bell	Duckett
Benton	Ellis
Blankenship	Eubank
Boone	Evans
Bray	Favors
Bullock	Ferguson
Bundy	Fitzgerald
Burkett	Fuchs
Carlton	Garland
Carrington	Halsey
Cato	Hanna
Clark	Hardeman
Coker	Hargis
Connelly	Harris of Hill
Craig	Hartzog
Crosthwait	Heflin
Davis	Hoyo

Huddleston	Parker
Humphrey	Price
Hutchinson	Rampy
Isaacks	Reed of Dallas
Jones	Roark
Kersey	Roberts
Kinard	Sallas
Knight	Senterfitt
Lehman	Skiles
Lowry	Smith of Bastrop
Lyle	Smith of Atascosa
McCann	Stanford
McDonald	Stinson
McLellan	Thornton
McMurry	Turner
Markle	Walters
Martin	Wattner
Mills	White
Montgomery	Whitesides
Morgan	Winfree
Murray	

Nays—32

Alsup	Little
Bailey	Love
Bridgers	Lucas
Brown	McNamara
Burnaman	Manning
Cleveland	Matthews
Dickson of Nolan	Pace
Gilmer	Pevehouse
Helpinstill	Phillips
Henderson	Reed of Bowie
Hileman	Rhodes
Hobbs	Simpson
Howington	Spacek
Hughes	Stubbs
Kelly	Voigt
Kennedy	Weatherford

Absent

Baker	King
Brawner	Klingeman
Bruhl	Lansberry
Celaya	Leyendecker
Chambers	Lock
Colson, Mrs.	McAlister
Crossley	McGlasson
Dove	Manford
Gandy	Morse
Goodman	Shell
Howard	Vale

Absent—Excused

Allen	Moore
Anderson	Morris
Daniel	Nicholson
Dwyer	Ridgeway
Files	Sharpe
Harris of Dallas	Spangler
Huffman	Taylor

MOTION TO PLACE HOUSE JOINT RESOLUTION NO. 39 ON SECOND READING

Mr. McDonald moved that the necessary rules be suspended for the purpose of taking up and considering, at this time,

H. J. R. No. 39, Proposing the adoption of Section 17 of Article 7 of the Constitution allocating to the Agricultural and Mechanical College of Texas, after deducting the amount necessary to defray expenses of administration except those in connection with grazing leases, one-third of the income from the Permanent University Fund except income from grazing leases; providing that such revenue shall be used or pledged for the sole purpose of acquiring permanent improvements for said College, authorizing the Board of Directors, of said College to pledge said revenues to secure bonds or notes issued for such purpose or to refund bonds or notes issued for such purpose; authorizing the investment of the Permanent University Fund in bonds or notes secured by such pledge; making the provisions of this Section cumulative but to prevail in event of conflict with other provisions; providing for calling an election and making an appropriation to defray expenses thereof.

The motion was lost.

ADDITIONAL SIGNER OF HOUSE BILL

By unanimous consent of the House, the following Member was authorized to sign bill as co-author of same, as follows:

Mr. Bean: House Bill No. 909.

MOTION TO PLACE HOUSE BILL NO. 909 ON SECOND READING

Mr. Lyle moved that the necessary rules be suspended, for the purpose of taking up and considering, at this time,

H. B. No. 909, A bill to be entitled "An Act to assure full and equal accommodations, rights, and privileges to all persons of the Caucasian Race in all public places of business or amusements in Texas, repealing all

laws in conflict herewith; and declaring an emergency."

The motion was lost.

**HOUSE BILL NO. 848 ON
SECOND READING**

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 848, A bill to be entitled "An Act making appropriations to pay deficiency appropriations granted by the Governor prior to January 14, 1941, and for which no appropriations have heretofore been made; and declaring an emergency."

The bill was read second time.

Mr. Morris offered the following committee amendment to the bill:

Amend House Bill No. 848 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. The amounts of money hereinafter specified are hereby appropriated out of any monies in the State Treasury not otherwise appropriated, to pay the deficiency appropriations granted by the Governor pursuant to Article 4351 of the Revised Civil Statutes, of the State of Texas, 1925, prior to January 1, 1941, as follows:

Department	Appro. No.	Wording of Appropriation Supplemented	Amount
Adjutant General	A 225	Martial Law and Emergency Use of Troops	\$ 5,000.00
Adjutant General	A 225	Martial Law and Emergency Use of Troops	5,000.00
Adjutant General	A 225	Martial Law and Emergency Use of Troops	5,000.00
Total			\$15,000.00
Adjutant General	B 165	Martial Law and Emergency Use of Troops	\$10,000.00
Adjutant General	B 165	Martial Law and Emergency Use of Troops	20,000.00
Total			\$30,000.00
Total Adjutant General			\$45,000.00
General Land Office	A 140	School Land Board	\$ 5,400.00
Labor Department	B 208	Contingent Expense	1,500.00
Sam Houston State Teachers College	Y 1343	Purchasing and installing one or two steam boilers	14,000.00
Southwest Texas State Teachers College	A 878	General Maintenance	3,500.00
Supreme Court	A 3	Expenses in appointing Committees for H. B. No. 108	2,000.00

Agriculture Department

Granted for Pink Boll Worm Eradication—Appro. X 837

Warrant No. 191	Payable to D. J. Markwardt	\$ 150.00
Warrant No. 219	Payable to D. J. Markwardt	150.00
Total to be appropriated for X 837		\$ 300.00

Reclamation Department—Granted for Flood Control Work—Wages, Office Supplies, Postage, Etc.—Appro. U 877

Warrant No. 17326	Payable to R. C. Wisdom	48.18
Total to be appropriated for U 877		48.18

Livestock Sanitary Commission

Granted for Office Rent, Telephone, Etc.

Appropriation X 902

Warrant No. 443	Payable to Railway Express Agency.....	\$ 5.95
Warrant No. 457	Payable to Students Clipping Bureau.....	7.19
Warrant No. 494	Payable to Union Stock Yards, S. A.....	6.25
Warrant No. 594	Payable to Students Clipping Bureau.....	5.72
Warrant No. 604	Payable to Railway Express Agency.....	9.80
Warrant No. 604	Payable to Railway Express Agency.....	23.26
Warrant No. 622	Payable to Schuhmacher Company.....	17.88
Warrant No. 623	Payable to Southwestern Bell Telephone Company.....	8.60
Warrant No. 663	Payable to Black Hardware Company.....	2.50
Warrant No. 682	Payable to Schuhmacher Company.....	5.64
Warrant No. 725	Payable to Union Stock Yards, S. A.....	6.25
Warrant No. 756	Payable to Stafford-Lowdon Company.....	31.06
Warrant No. 541	Payable to Students Clipping Bureau.....	6.41

Total to be appropriated for X 902.....\$ 136.51

Granted for Law Enforcement

Appropriation X 904

Warrant No. 378	Payable to Fort Worth Brief Prtg. Co.....	\$ 76.00
Warrant No. 451	Payable to C. F. Miller.....	67.00
Warrant No. 759	Payable to W. T. Waggoner Building.....	40.00

Total to be appropriated for X 904.....183.00

Adjutant General's Department

Granted for Miscellaneous Expenses

Appropriation X 569

Warrant No. 236	Payable to Hunt Plumbing Supply Co.....	\$ 225.92
Warrant No. 309	Payable to Hunt Plumbing Supply Co.....	2.56
Warrant No. 346	Payable to W. H. Richardson & Co.....	4.75
Warrant No. 369	Payable to Hunt Plumbing Supply Co.....	115.24
Warrant No. 407	Payable to Hunt Plumbing Supply Co.....	2.71
Warrant No. 414	Payable to W. H. Richardson & Co.....	5.70
Warrant No. 478	Payable to W. H. Richardson & Co.....	20.08
Warrant No. 487	Payable to Hunt Plumbing Supply Co.....	5.98
Warrant No. 526	Payable to W. H. Richardson & Co.....	3.37

Total to be appropriated for X 569.....\$ 386.31

Grand Total Deficiency Appropriations.....\$72,454.00

The committee amendment was adopted.

By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 848 was then passed to engrossment.

HOUSE BILL NO. 848 ON THIRD READING

Mr. Reed of Dallas moved that the Constitutional Rule requiring

bills to be read on three several days be suspended and that House Bill No. 848 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—116

Allison	Boone
Alsup	Brawner
Avant	Bray
Bailey	Bridgers
Bean	Brown
Bell	Bullock
Benton	Bundy

Burkett	Knight
Burnaman	Lansberry
Carrington	Lehman
Cato	Little
Celaya	Lock
Chambers	Lowry
Clark	Lucas
Cleveland	Lyle
Coker	McCann
Colson, Mrs.	McDonald
Connelly	McGlasson
Crossley	McLellan
Davis	McMurry
Deen	Manford
Dickson of Bexar	Manning
Dickson of Nolan	Markle
Donald	Martin
Dove	Matthews
Duckett	Montgomery
Ellis	Morgan
Eubank	Morse
Evans	Murray
Favors	Parker
Ferguson	Pevehouse
Fitzgerald	Phillips
Fuchs	Price
Gilmer	Rampy
Goodman	Reed of Bowie
Halsey	Reed of Dallas
Hanna	Rhodes
Hardeman	Roark
Hargis	Roberts
Harris of Hill	Sallas
Hartzog	Senterfitt
Helpinstill	Shell
Henderson	Simpson
Hileman	Skiles
Hobbs	Smith of Bastrop
Howard	Smith of Atascosa
Howington	Spacek
Hoyo	Stanford
Huddleston	Stinson
Hughes	Thornton
Humphrey	Turner
Isaacks	Vale
Jones	Walters
Kelly	Wattner
Kennedy	Weatherford
Kersey	White
Kinard	Whitesides
Klingeman	Winfree

Nays—4

Craig	Love
King	Mills

Absent

Baker	Gandy
Blankenship	Garland
Bruhl	Heflin
Carlton	Hutchinson
Crosthwait	Leyendecker

McAlister
McNamara
Pace

Stubbs
Voigt

Absent—Excused

Allen	Moore
Anderson	Morris
Daniel	Nicholson
Dwyer	Ridgeway
Files	Sharpe
Harris of Dallas	Spangler
Huffman	Taylor

The Speaker then laid House Bill No. 848 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—115

Allison	Goodman
Alsup	Halsey
Avant	Hanna
Bailey	Hardeman
Bell	Hargis
Benton	Hartzog
Boone	Helpinstill
Brawner	Henderson
Bray	Hileman
Bridgers	Hobbs
Brown	Howard
Bullock	Howington
Bundy	Hoyo
Burkett	Huddleston
Burnaman	Hughes
Carrington	Humphrey
Cato	Isaacks
Celaya	Jones
Chambers	Kelly
Clark	Kennedy
Cleveland	Kersey
Coker	Kinard
Colson, Mrs.	Klingeman
Connelly	Knight
Crossley	Lansberry
Davis	Lehman
Deen	Little
Dickson of Bexar	Lock
Dickson of Nolan	Love
Donald	Lowry
Dove	Lucas
Duckett	Lyle
Ellis	McCann
Eubank	McDonald
Evans	McLellan
Favors	McMurry
Ferguson	Manford
Fitzgerald	Manning
Fuchs	Markle
Garland	Matthews
Gilmer	Montgomery

Morgan	Skiles
Morse	Smith of Bastrop
Murray	Smith of Atascosa
Parker	Spacek
Pevehouse	Stanford
Phillips	Stinson
Price	Stubbs
Rampy	Thornton
Reed of Bowie	Turner
Reed of Dallas	Vale
Rhodes	Walters
Roark	Wattner
Roberts	Weatherford
Sallas	White
Senterfitt	Whitesides
Shell	Winfree
Simpson	

Nays—4

Craig	Martin
King	Mills

Absent

Baker	Heflin
Bean	Hutchinson
Blankenship	Leyendecker
Bruhl	McAlister
Carlton	McGlasson
Crosthwait	McNamara
Gandy	Pace
Harris of Hill	Voigt

Absent—Excused

Allen	Daniel
Anderson	Dwyer

Files	Nicholson
Harris of Dallas	Ridgeway
Huffman	Sharpe
Moore	Spangler
Morris	Taylor

SENATE BILL NO. 471 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 471, A bill to be entitled "An Act making appropriations to pay miscellaneous claims out of the General Revenue Fund, or any other funds against which claims were originally incurred; providing that before payment of any claims shall be paid from the funds hereby appropriated the same shall have the approval of the State Comptroller and the Attorney General; and providing further that any claim involving the refund of a franchise tax shall also carry the approval of the Secretary of State in addition to the other officials herein named; and declaring an emergency."

The bill was read second time.

Mr. Lehman offered the following committee amendment to the bill:

Amend Senate Bill No. 471 by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. That the following sums of money, or so much thereof as may be necessary, be and the same are hereby appropriated to be paid out of the General Revenue Fund or such other funds as may be designated for each item to pay miscellaneous claims against the State of Texas as herein enumerated; provided, however, that no claim included herein shall be paid or be authorized to be paid until the Comptroller of Public Accounts has ascertained that the amount herein granted is the same as the amount actually owed by the State of Texas to the claimant:

Sub-section A. There is hereby appropriated out of the General Revenue Fund the following amounts:

To pay Allen Hardware Company, Hearne, Texas, refund for permit	\$ 5.00
To pay Acme Cement Plaster Company, for refund of franchise taxes illegally collected	5,150.00
To pay American United Life Insurance Company, Indianapolis, Indiana, for refund of occupation taxes erroneously collected	390.00
To pay American Credit Indemnity Company, New York, New York, for refund of occupation taxes erroneously collected	69.62
To pay The American Soda Fountain Company, for refund of franchise taxes erroneously collected	5,563.00
To pay Arnold, J. W., Leonard, Texas, for refund on Old Age Assistance warrant erroneously cancelled	18.00

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To pay Irene Independent School District in Hill County for refund for salary aid under the provisions of the Rural Aid Law of Texas	1,848.52
To pay Aetna Life Insurance Company, Hartford, Connecticut, for refund of occupation taxes erroneously collected	16,473.21
To pay Alvis, L. R., Jasper, Texas, in payment for services as court reporter, First Judicial District	30.25
To pay Auto Spring and Supply Company, Wichita Falls, Texas, for refund of Chain Store Taxes erroneously collected	121.33
To pay Blake, R. B., Nacogdoches, Texas, for service as Court Reporter, Second Judicial District	46.86
To pay Brown, J. J., Crowell, Texas, for refund of Land Taxes erroneously collected	46.24
To pay Brooks System Sandwich Shop, Houston, Texas, for refund of Chain Store Taxes erroneously collected	397.17
To pay Brown, Harvey C., Abilene, Texas, for service as Official Court Reporter, Taylor, Texas	41.40
To pay Boyd, Mrs. W. R., Teague, Texas, for payment of Warrant No. 109775, on which payment was prohibited by Statute of Limitation	416.66
To pay Bradley, Leonard, et al, % T. L. Richardson, 3904 Dickinson Avenue, Dallas, Texas, in payment of judgment rendered in Cause No. 830, County Court of Jack County, Texas	3,847.95
To pay Brown, Carrol, San Antonio, Texas, for refund of Land Taxes erroneously collected	195.94
To pay Brenham Furniture Company, Brenham, Texas, for refund on permit from Health Department	10.00
To pay Blocker, Emma Lou, New Boston, Texas, for payment of service in collection of Delinquent Taxes	3,371.53
To pay Barton J. Emory, Denton, Texas, for services as Official Court Reporter, Sixteenth Judicial District	53.70
To pay Brewster, Few, Temple, Texas, for service as Special District Judge at Center, Texas	30.81
To pay Babsons Reports, Inc., Wellesley Hills, Massachusetts, Warrant No. 147558 on which payment was prohibited by Statute of Limitation	2.40
To pay Butler, Roy, Tyler, Texas, for service as Special Judge in the Seventh Judicial District	278.55
To pay Citizens National Bank, Cameron, Texas, in payment of General Revenue Warrants on which payment was prohibited by Statute of Limitation	377.38
To pay Clerk of Supreme Court of United States, Washington D. C., for Court Costs, State of Texas versus State of Florida, et al	7,257.40
To pay J. I. Case Threshing Machine Company for refund of franchise taxes illegally collected	24,285.66
To pay Connecticut Mutual Life Insurance Company, Hartford, Connecticut, for refund of taxes erroneously collected	1,856.80
To pay Clegg, Jake, Trinity, Texas, for services as Special District Judge in the Twelfth Judicial Court	65.76
To pay Consuelo Madrigas de Pena, Mrs. Alice, Texas, for refund of bonus and rentals erroneously collected	1,344.00
To pay Cleveland Compress and Cotton Company, Houston, Texas, for refund of Occupation Tax erroneously collected	37.50
To pay Capitol Life Insurance Company, Denver, Colorado, for refund of taxes erroneously paid	1,364.10
To pay Cox, Thomas W., et al, Tyler, Texas, for refund of Inheritance Tax erroneously collected	3,078.35
To pay Central Engineering and Supply Company, Dallas, Texas, for warrant No. 58282 on which payment was prohibited by Statute of Limitation80

To pay Cliff Towers Corporation, Dallas, Texas, for refund on Beer and Wine Permit	25.00
To pay City State Bank and Trust Company, McAllen, Texas, for payment of warrant No. 13210 on which payment was prohibited by Statute of Limitation	7.50
To pay Casualty Reciprocal Exchange, Kansas City, Missouri, for refund of taxes erroneously collected	1,564.01
To pay Davis, Allen V., Corpus Christi, Texas, for service as Special Judge, 117th Judicial District	260.11
To pay Denman, J. B., Brownwood, Texas, in payment for witness fee in the case of the State of Texas versus E. E. Ray, cause No. 1968	7.00
To pay Douglass, Curtis, Panhandle, Texas, for service as Special Judge, Eighty-fourth Judicial District	752.95
To pay Douglas, A. L., Sherman, Texas, for refund of taxes erroneously collected	15.53
To pay Dowdy, J. V., Athens, Texas, for service as Court Reporter, District Court, Shelby County	137.03
To pay Eckhardt Physician and Surgery Supply Company, Austin, Texas, for payment of General Revenue Warrants, No. 5823 and No. 97942, on which payment was prohibited by Statute of Limitation	20.25
To pay Elliott Printing Company, Austin, Texas, for printing and supplies furnished to State Board of Dental Examiners	53.24
To pay Eckhardt Gin Company, Yorktown, Texas, for refund of Chain Store Tax erroneously collected	24.50
To pay Ewing, W. K., Company Inc., San Antonio, Texas, for refund of taxes erroneously collected	32.10
To pay First State Bank, Overton, Texas, in payment of Deficiency Warrants, No. 566, dated July 30, 1938, and No. 517, dated June 30, 1938	350.00
To pay Foy, Frankie E., McAllen, Texas, in payment of Unemployment Compensation Warrants	84.17
To pay Falls County, Texas, in payment of royalty interest on public school land	1,094.67
To pay First National Bank, Temple, Texas, in payment of General Revenue Warrants on which payment was prohibited by Statute of Limitation	74.41
To pay First State Bank, Gladewater, Texas, in payment of General Revenue Warrants on which payment was prohibited by Statute of Limitation	29.01
To pay Frazier, Mrs. John, Wichita Falls, Texas, in payment of Unemployment Compensation Warrant, No. 540128 on which payment was prohibited by Statute of Limitation	5.15
To pay First National Bank, Midlothian, Texas, in payment of General Revenue Warrants, No. 209868 and 116266 on which payment was prohibited by Statute of Limitation	87.90
To pay Ft. Worth Well Machinery and Supply Company, Inc., Ft. Worth, Texas, in payment of General Revenue Warrant, No. 68954 on which payment was prohibited by Statute of Limitation	7.24
To pay Ferrell, J. M., Memphis, Texas, for refund of Ad Valorem Taxes erroneously collected	11.83
To pay First National Bank, Odessa, Texas, in payment of Unemployment Compensation Warrant, No. 493280 on which payment was prohibited by Statute of Limitation	7.70
To pay First National Bank, Honey Grove, Texas, in payment of General Revenue Warrant, on which payment was prohibited by Statute of Limitation	4.00
To pay Goolesbee Mercantile Company, Warren, Texas, in payment of General Revenue Warrant, No. 163211, on which payment was prohibited by Statute of Limitation	100.00

To pay Graham, Thomas Jr., Del Rio, Texas, for refund of Occupation Taxes erroneously collected	77.22
To pay Graves, Mrs. Winfred F., Athens, Texas, for services as Court Reporter, Third Judicial District	140.00
To pay Galveston County, Texas, in payment of General Revenue Warrants, No. 155275 and No. 155276 on which payment was prohibited by Statute of Limitation	204.00
To pay Gaynor, W. H., Abilene, Texas, in payment of General Revenue Warrants on which payment was prohibited by Statute of Limitation	135.00
To pay Gatour, Jim, Austin, Texas, for refund on package store permit	175.00
To pay Gibson Garage and Machine Company, Bryan, Texas, in payment of General Revenue Warrant, No. 18680, on which payment was prohibited by Statute of Limitation	1.50
To pay Gonzales State Bank, Gonzales, Texas, in payment of Unemployment Compensation Warrant No. 540128, on which payment was prohibited by Statute of Limitation	7.00
To pay Hillyer, L. D., Brownwood, Texas, for services as Court Reporter, Thirty-fifth Judicial District	85.57
To pay Hamilton, W. S., San Antonio, Texas, in payment of General Revenue Warrant, No. 178816, on which payment was prohibited by Statute of Limitation	15.00
To pay Hartwell Iron Works, Houston, Texas, in payment of General Revenue Warrant, No. 151696 on which payment was prohibited by the Statute of Limitation	13.20
To pay Henry, W. E., Rusk, Texas, refund for Breeding Fee	7.50
To pay Haden, E. T., Mereta, Texas, refund for Breeding Fee	7.50
To pay Henry, Lee S., Abilene, Texas, for services as Court Reporter, One-hundredth Judicial District	61.61
To pay Houston Lighting & Power Company, Galveston, Texas, in payment for service rendered Court of Civil Appeals, Galveston, Texas	36.15
To pay Harrington, Sul Ross, Bay City, Texas, for services as Court Reporter, Twenty-third Judicial District	20.66
To pay Hatchcock, A. L., Palestine, Texas, for payment of General Revenue Warrant No. 33386, on which payment was prohibited by Statute of Limitation	35.00
To pay Ingram, Grady, Groverton, Texas, for recording fees in District Clerk's Office	66.50
To pay Ice Service Company, Wichita Falls, Texas, for refund of Chain Store Taxes erroneously collected	253.50
To pay Imperial Sugar Company, Sugarland, Texas, for refund of taxes erroneously collected	1,583.50
To pay Keller, Will E., et al, El Paso, Texas, for refund of inheritance tax erroneously collected	1,857.56
To pay the following named persons the amounts appearing opposite their names for services rendered during the month of November 1940 in the Department of Labor:	
Buckner, Eula V., Austin, Texas	90.00
Perkins, Wilson, Austin, Texas	175.00
Moffat, Ellen, Austin, Texas	90.00
Grigsby, Johnnie Bell, Austin, Texas	90.00
Hutchins, Lois, Austin, Texas	90.00
To pay Keepers, George E., Karnes City, Texas, for payment of General Revenue Warrant No. 170960, on which payment was prohibited by the Statute of Limitation	14.64
To pay Karnes City Citation, Karnes City, Texas, for payment of General Revenue Warrant No. 198648 on which payment was prohibited by Statute of Limitation	48.35
To pay Karnes City News, Runge, Texas, for payment of General	

Revenue Warrant No. 44342 on which payment was prohibited by Statute of Limitation	2.00
To pay Kunkel, A. J., Mereta, Texas, for refund of Breeding Fees	7.50
To pay Klein Ice Cream Co., Houston, Texas, refund for Chain Store Tax erroneously collected	422.09
To pay Knox, Mabel, Kerrville, Texas, for services as Official Court Reporter in the 38th Judicial District	19.00
To pay Label, Ben, Denison, Texas, for refund of taxes erroneously collected	18.63
To pay Lund, William, San Antonio, Texas, General Revenue Warrant No. 73069 on which payment was prohibited by Statute of Limitation	25.00
To pay Lemons, Jessie L., Colmesneil, Texas, Unemployment Compensation Warrant No. 308803	2.47
To pay Lenz, G. A., Cuero, Texas, General Revenue Warrant No. 153962 on which payment was prohibited by Statute of Limitation	48.50
To pay Liga Pacifista Pro Patria, Laredo, Texas, refund for franchise tax erroneously collected	10.00
To pay Lewis, Clint, Jr., Colorado, Texas, General Revenue Warrant No. 142665 on which payment was prohibited by Statute of Limitation	16.50
To pay Lewis, Clint, Jr., Colorado, Texas, for returning fugitive from the State of Arizona to Burleson County	200.50
To pay McGowan, Mary E., Galveston, Texas, for services rendered as Official Court Reporter in the 56th Judicial Court at Galveston, Texas	54.90
To pay Maples Funeral Home, Snyder, Texas, refund for Chain Store Tax erroneously collected	5.00
To pay Marlin Sanitarium Bath House, Inc., Marlin, Texas, for franchise tax erroneously collected	74.71
To pay Metropolitan Life Insurance Co., New York, New York, refund of occupation tax erroneously collected	7,920.00
To pay Mercury Insurance Co., St. Paul, Minnesota, refund of occupation tax erroneously collected	1,381.79
To pay Middlemiss, H. S., Columbian Building, Washington, D. C., for copies of transcript in case of State of Texas versus State of Florida	10,538.80
To pay Monteith, Walter, E., Galveston, Texas, for services rendered as Special Commissioner to the Court of Civil Appeals for the First Supreme Court of Galveston, Texas	1,083.33
To pay Miller, A. F. Company, Incorporated, Houston, Texas, for refund of franchise tax erroneously collected	10.20
To pay Maintenance Engineering Corp., Houston, Texas, General Revenue Fund No. 160419 on which payment was prohibited by Statutes of Limitation	54.56
To pay Mittendorf, Mrs. Alex, Fredericksburg, Texas, for refund liquor permit	37.50
To pay Moore, A. F., Kerrville, Texas, General Revenue Warrants on which payments were prohibited by Statute of Limitation	67.50
To pay Maxwell, Anna, Commerce, Texas, General Revenue Warrant No. 149372, on which payment was prohibited by Statute of Limitation	166.72
To pay Miller, R. W., Huntsville, Texas, General Revenue Warrant No. 122744 on which payment was prohibited by Statute of Limitation	110.00
To pay New England Mutual Life Insurance Co., Boston, Massachusetts, refund of Occupation Tax erroneously collected	521.13
To pay National Band & Tag Co., Newport, Kentucky, General Revenue Warrants, Nos. 35330 and 39959 on which payment was prohibited by Statute of Limitation	57.00

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To pay Navasota Independent School District, Navasota, Texas, for payment of Special Warrant No. 4738.....	652.00
To pay Ohio National Insurance Co., Cincinnati, Ohio, refund of occupation tax erroneously collected.....	1,266.16
To pay Peavy, H. S., Sherman, Texas, for refund of taxes erroneously collected	10.40
To pay Pressler Paint & Wall Paper Co., Austin, Texas, Franchise Tax erroneously collected	10.00
To pay Poe, Mrs. Laura, Dallas, Texas, for damages done by National Guard to house and furniture	296.00
To pay Southern Bedding Manufacturing Co., Austin, Texas, refund of license fee erroneously collected by the Health Department	1.50
To pay Ramirez, C. H., Laredo, Texas, for Chain Store Tax erroneously collected	1.50
To pay Reinecker, E. E., Bellville, Texas, for expenses incurred in returning a fugitive from Justice from Los Angeles, California to Bellville, Texas	187.70
To pay Ricker, Charles G., Austin, Texas, refund for license fee erroneously collected by the Insurance Department.....	8.00
To pay Royal, Bob, Abilene, Texas, refund for license fee erroneously collected by the Labor Department	50.00
To pay Reed, Allen, Dallas, Texas, for assisting District Attorney in Dallas County, Texas	100.00
To pay Stone Fort National Bank, Nacogdoches, Texas, General Revenue Warrant No. 93984, on which payment was prohibited by Statute of Limitation	17.50
To pay Sessions, W. L., Austin, Texas, for excess bonus payment made to the State of Texas on a lease of school land in Walker County, Texas	890.00
To pay Smith, D. G., Dallas, Texas, refund of unexpired portion of Beer and Wine Retail Permit	25.00
To pay Sengelman, Dr. W. A., Houston, Texas, in payment for medical services to inmates of Texas Penitentiary	250.00
To pay Snodgrass, Clifton, Omaha, Texas, refund for Breeding Fees	7.50
To pay Samuels, Sidney L., Ft. Worth, Texas, for services rendered as Special Chief Justice of the Supreme Court of Texas, Cause No. 5689	1,305.64
To pay Stone, Ben H., Amarillo, Texas, General Revenue Warrants Nos. 58901 and 28306 on which payment was prohibited by Statute of Limitation	50.00
To pay Security State Bank and Trust Co., Beaumont, Texas, General Revenue Warrant on which payment was prohibited by Statute of Limitation	104.00
To pay Smith, W. H., Uvalde, Texas, General Revenue Warrant on which payment was prohibited by Statute of Limitation...	36.95
To pay Simpkins, J. A., Corsicana, Texas, for services rendered as Special District Judge at the District Court of Navarro County, Texas	13.60
To pay Sparks, Jack, Austin, Texas, for salary as Assistant District Attorney of the 53rd Judicial District Court	387.50
To pay Strickland, D. F., Mission, Texas, for services rendered as Special Associate Justice of Court of Civil Appeals in and for the Fourth Judicial District Court of Texas in San Antonio, Texas	150.00
To pay The Steck Company, Austin, Texas, for printing for the State Board of Dental Examiners	11.45
To pay Schuehler, Charles J., Hondo, Texas, in payment of a reward offered by the Governor, James V. Allred as Governor of Texas	250.00
To pay Stewart, Elmon D., Llano, Texas, in payment for the re-	

turn of a fugitive from Justice from Phoenix, Arizona, to Llano, Texas	254.70
To pay Sherryland Public School District, Mission, Texas, for payments of General Revenue Warrant No. 170639, on which payment was prohibited by Statute of Limitation	79.12
To pay Southern Lloydes, San Antonio, Texas, in payment of refund from occupation tax erroneously collected	190.96
To pay Southwestern Bell Telephone Company, Austin, Texas, for payments of General Revenue Warrant on which payment was prohibited by Statute of Limitation	734.26
To pay Southwestern Bell Telephone Company, Austin, Texas, for services rendered the Attorney General's Office at Longview, Texas, during the year 1935	284.92
To pay Southwestern Bell Telephone Company, Austin, Texas, for services rendered the Industrial Accident Board, Austin, Texas, for the year 1939	64.15
To pay Sanford, J. R., Eagle Pass, Texas, for a refund of moneys paid into the Permanent School Fund to purchase two tracts of land which were patented to W. T. Williams but the patents were subsequently revoked	442.44
To pay The Corpus Christi National Bank, Corpus Christi, Texas, for payment of General Revenue Warrant No. 53084, on which payment was prohibited by Statute of Limitation	8.72
To pay Tingle, Jack K., Dallas, Texas, for services rendered as Official Court Reporter in the Criminal District Court No. 2, Dallas County, Texas	15.31
To pay Templin, George H., Austin, Texas, in payment of Court Cost due in Cause No. 55714, the State of Texas versus the Texas Income Insurance Company, passing on final judgment in the said cause to charge the Court Cost against the State of Texas	1,016.30
To pay Texas Cafe, Belton, Texas, refund on Chair Store Tax erroneously collected	4.50
To pay The Lamesa National Bank, Lamesa, Texas, in payment of General Revenue Warrants Nos. 57904 and 57905 on which payment was prohibited by Statute of Limitation	10.72
To pay Traveler's Insurance Company, Hartford, Connecticut, for refund on Occupation Tax erroneously collected	10,825.14
To pay the Steck Company, Austin, Texas, in printing for the Census Division for the Department of Education	923.41
To pay the Schuhmacher Company, Houston, Texas, Unemployment Warrant	8.83
To pay Two States Telephone Company, Texarkana, Texas, for Gross Receipts Tax Refund erroneously collected	11,610.10
To pay Sanford, J. R., Eagle Pass, Texas, for services rendered as Special District Judge for the 63rd Judicial District Court	95.83
To pay Universal Life Insurance Company, Memphis, Tennessee, refund on License Fees collected erroneously by the Insurance Department	849.50
To pay Union Central Life Insurance Company, Cincinnati, Ohio, refund on occupation tax erroneously collected	13,899.64
To pay The Virginia Fire & Marine Insurance Company, Dallas, Texas, for refund on occupation tax erroneously collected	23.00
To pay Wells, E. F., Corsicana, Texas, in payment of Warrant No. 27906 prohibited by Statute of Limitation	40.15
To pay Wilcox, A., Clifton, Texas, for refund of taxes erroneously collected	18.22
To pay Western Newspaper Union, Delaware, for refund of franchise taxes illegally collected	9,546.00
To pay Norris, W. H., Lumber Company, Houston, Texas, for refund on Chain Store Tax erroneously collected	25.50
To pay McClurkan & Company, Wichita Falls, Texas, for refund on franchise tax erroneously collected	30.00

To pay Woods, Matthews S., Hillsboro, Texas, for services rendered as Special District Judge of the 66th Judicial District Court	369.86
To pay White, George H., Hillsboro, Texas, in payment for services rendered as Official Court Reporter for the 66th Judicial District Court	56.00
To pay Williams, W. T., Austin, Texas, for a refund of moneys paid into the Permanent School Fund to purchase two tracts of land which were patented to W. T. Williams but the patents were subsequently revoked	442.44
To pay Williams, H. A., Nacogdoches, Texas, Old-Age Assistance Warrant No. B 3592, on which payment was prohibited by Statute of Limitation	11.00
To pay the following named persons the amounts appearing opposite their names for refund of excessive final payments on school lands:	
Settle, Mrs. J. W., Brownfield, Texas	3.60
Colorado National Farm Loan Ass'n, Colorado City, Texas	2.15
Elliott, Ross, Breckenridge, Texas	4.32
Sun Oil Company, Dallas, Texas	1.18
Tomlinson, W. E., Dallas, Texas	5.04
Rape, J. Marvin, Dr., San Angelo, Texas	1.51
Ingram Abstract Company, Wharton, Texas	3.88
Harrison, R. L., Stamford, Texas	15.18
Farmer, A. G., Junction, Texas	.62
Strake, Geo. W., for Omar R. Strunk, Houston, Texas	3.57
Thompson, J. B., Seminole, Texas	36.28
Nield, Daisy C., Texhoma, Oklahoma	1.26
Wheeler, Alfred, Sumner, Texas	1.32
Willson, John W., Cotulla, Texas	2.17
Jones & Fly, San Antonio, Texas	1.00
Williams, W. Erskine, Fort Worth, Texas	2.23
Waldeck, R. J., Cuero, Texas	2.43
Beverly, W. C., Mrs., for Estate of Mrs. C. Adair, Palodura, Texas	1.39
Stieren, L. W., San Antonio, Texas	56.33
Berry, Tom B., Wellington, Texas	4.77
Carr, John, Big Lake, Texas	4.24
Clement, Grace, Miss, Wellington, Texas	5.01
Irion, M. R., Dallas, Texas	2.99
Moss, Paul, Odessa, Texas	6.85
Barnes, Cecil H., San Angelo, Texas	1.76
Wilhelm, Fritz, Menard, Texas	25.66
Duncan, A. B., Abstract Company, Floydada, Texas	38.67
Hodge, C. T., Admr. for Est. of Leonard Taylor, Fort Worth, Texas	6.15
Sanderson N. F. L. A., Sanderson, Texas	3.80
Jayton N. F. L. A., Jayton, Texas	3.67
Schreiner, L. A., Kerrville, Texas	19.07
Turkey N. F. L. A., Turkey, Texas	2.50
Thompson, Charles C., Colorado City, Texas	3.70
Pampa N. F. L. A., Pampa, Texas	2.71
Brady N. F. L. A., Brady, Texas	1.02
Brady N. F. L. A., Brady, Texas	1.25
Weatherred, W. M., Coleman, Texas	1.00
Big Bend Abstract Company, Alpine, Texas	2.08
Swisher County Abstract Company, Tulia, Texas	4.40
Swearingen & Miller, San Antonio, Texas	8.35
Federal Land Bank, Houston, Texas	367.91
To pay the following named person the amount appearing opposite his name for refund of excessive final payment on asylum land:	
Jaye, Fred O., De Leon, Texas	29.86

To pay the following named persons the amounts appearing opposite their names for refund of excessive interest payments on school land:	
Cleveland, W. H., Marfa, Texas	66.40
Parker, W. D., Kerrville, Texas	9.36
Proctor, D. C., Fort Worth, Texas	38.50
Whitworth, W. W., Kerrville, Texas	5.85
To pay the following named person the amount appearing opposite his name for refund of excessive interest payment on asylum land:	
Hampton, E. G., Baird, Texas	7.67
To pay the following named persons the amounts appearing opposite their names for refund of credits existing by reason of cancelled school land sales:	
York, R. L., Midland, Texas	200.00
Erskine, C. H., San Antonio, Texas	26.55
Ahlers, L. B., et al, Eagle Lake, Texas	150.41
To pay the following named persons the amounts appearing opposite their names for refund of excessive bonus and rental payments:	
Baldwin, Molly, Mrs., Jefferson, Texas	20.39
Baldwin, Molly, Mrs., Jefferson, Texas	20.39
Arkansas-Louisiana Gas Company, Shreveport, Louisiana	20.39
Arkansas-Louisiana Gas Company, Shreveport, Louisiana	20.39
Brown, Herman, Austin, Texas	100.00
To pay the following named persons the amounts appearing opposite their names for refund of credit existing by reason of cancelled grazing lease:	
Wingfield, W. W. and Sandel, D. W., Leakey, Texas	17.70
To pay the following named persons the amounts appearing opposite their names for refund of excessive fees paid into General Revenue Fund:	
Sieber, E. Hayes, Lubbock, Texas	2.00
Brittain, L. H., Fort Worth, Texas	2.00
Chaney & Davis, San Antonio, Texas	1.50
Clay, Bessie, Byars, Oklahoma50
Collins, Jackson & Snodgrass, San Angelo, Texas	6.00
First National Bank, Hereford, Texas50
King, Roy H., Wichita, Falls, Texas	1.75
Sadd, M. C., San Antonio, Texas	1.00
Snider, L. B., San Antonio, Texas	5.00
Steinle, Alfred N., Jourdanton, Texas	1.25
Smith & Smith, Fort Worth, Texas	1.00
Albaugh, Ray A., Lamesa, Texas50
Cone, Gordon M., Lubbock, Texas	1.00
Smith, Fielding G., Austin, Texas	1.00
Landreth Production Corporation, Fort Worth, Texas	1.00
Landreth Production Corporation, Fort Worth, Texas	1.00
Jones, Edgar E., Munday, Texas	1.00
Wolford, Chas. J., San Angelo, Texas50
Union Central Oil Company, Houston, Texas50
Walston, Cecil, Menard, Texas	3.50
Thomas, Noble, Channing, Texas	1.00
Meeker, J. R., Fort Worth, Texas	3.00
Baten, Thomas J., Beaumont, Texas75
Baten, Thomas J., Beaumont, Texas	4.00
Butts, Mollie J., Shamrock, Texas	1.00
King, B. D., Wharton, Texas	17.75
Amarillo Abstract Company, Amarillo, Texas	1.75
Bowen, Felix, Tulsa, Oklahoma	1.00
Barclay, Lillian, Waco, Texas35
Butz, H. H., Fort Stockton, Texas50

Cox & Brown, Temple, Texas	1.00
Collins, Bryant M., Corpus Christi, Texas	4.00
Capitol City Abstract Company, Austin, Texas	3.60
Dumas, M. E., Plains, Texas	.50
Damon, S. E., Austin, Texas	1.25
Gothard, C. C., Hobbs, New Mexico	.50
Garrett Abstract Company, Cuero, Texas	.50
Green, O. W., San Angelo, Texas	.50
Gill, Hugh, Houston, Texas	.75
Hedberg, H. A., Fort Worth, Texas	1.00
Haxel, G. G., Alice, Texas	1.00
Johnson, Tom C., San Marcos, Texas	1.25
Klingeman, D. O., Karnes City, Texas	.75
McPherson, A. M., Wichita Falls, Texas	2.00
Misse, R. S., Los Angeles, California	1.00
Mackey, J. T., Houston, Texas	.75
Pearson, Mrs. J. J., Wichita Falls, Texas	.50
Phillips Drilling Company, San Antonio, Texas	1.00
Peiler, Fred, Lampasas, Texas	1.00
Reed, D. C., Austin, Texas	.25
Harvey, Pritchett, Houston, Texas	.50
Ray, Hilda Blair, Midland, Texas	1.00
Russell & Russell, Baird, Texas	.25
Ritchey & Ritchey, Mineral Wells, Texas	1.25
Smith, Albert, Houston, Texas	.25
Strahan, N. M., Big Spring, Texas	.50
Samuels, A. W., Fort Worth, Texas	1.00
Terry County Abstract Company, Brownfield, Texas	.50
Webb, G. F., Sherman, Texas	1.25
Wright, F. D., Cisco, Texas	1.00
Withers, Robert C., Fort Davis, Texas	1.00
Sub-section B. There is hereby appropriated out of the Highway Fund the following amounts:	
To pay Ackerman, Mrs. J. Albert, San Antonio, Texas, in settlement of a judgment in Cause No. 89527 in the District Court of the 37th Judicial District, Bexar County, Texas	1,827.00
To pay Barrett, M. L., Belton, Texas, in payment of judgment entered in Cause No. 22783, District Court of Bell County, Texas	200.00
To pay Burton, Fred M., & Company, Galveston, Texas, for Insurance on ferry boats	373.56
To pay Bradham Insurance Agency, Brady, Texas, in payment of State Highway Warrant on which payment was prohibited by Statute of Limitation	21.15
To pay Caldwell & Son, Abilene, Texas, for payment of Warrant No. 35479, payment of which was prohibited by Statute of Limitation	81.76
To pay Hartmann, J. A., Rockwall, Texas, for payment of Motor Fuel Refund Tax Warrant No. 84527 on which payment was prohibited by Statute of Limitation	7.71
To pay Janes, T. D., Hillsboro, Texas, in payment of State Highway Warrant No. 113810, payment of which was prohibited by Statute of Limitation	800.00
To pay Marckwardt, Edwin, San Antonio, Texas, in payment of Judgment entered against the State of Texas in the 57th Judicial District Court of Texas	1,250.00
Sub-section C. There is hereby appropriated out of the Motor Fuel Tax Fund the following amounts:	
To pay Carr, James, Encinal, Texas, for Motor Fuel Tax Refund	368.08
To pay Espinosa, J. P., Melvin, Texas, for payment of Motor Fuel Warrant No. 54645, on which payment was prohibited by Statute of Limitation	6.95

To pay Lavaca County, Texas, for Motor Fuel Tax Refund.....	56.53
To pay Montgomery County, Texas, for Motor Fuel Tax Refund	205.36
To pay Reeh, Clemens, Fredericksburg, Texas, for payment of Motor Fuel Warrant No. 83419	3.36
To pay Scott, N. M., Del Rio, Texas, for payment of Motor Fuel Warrant No. 56545	42.36
To pay Texas Bithulithic Co., Tyler, Texas, for payment of Motor Fuel Tax Refund	186.56
To pay Winkler, J. A., San Antonio, Texas, for payment of Re- fund on Motor Fuel Tax Warrant No. 66896	10.88
To pay Whatley, W. T., Houston, Texas, for payment of Mo- tor Fuel Warrant No. 176823	12.54
To pay Wiley, H. A., Stephenville, Texas, for payment of Mo- tor Fuel Warrant No. 55081	9.89
To pay Whittliff, A., Galveston, Texas, for payment of Motor Fuel Warrant No. 64076	27.27
Sub-section D. There is hereby appropriated out of the Con- federate Pension Warrant Fund the following amounts:	
To pay Brown, Mary Lee, Austin, Texas, Warrant No. 73902, on which payment was prohibited by Statute of Limitation ...	25.00
To pay Broyles, Georgie A., Cherokee, Texas, Warrant No. 11011, on which payment was prohibited by Statute of Lim- itation	25.00
To pay Citizens National Bank, Cameron, Texas, in payment of Confederate Pension Warrants	150.00
To pay Citizens National Bank, Cameron, Texas, in payment of Confederate Pension Warrants	675.00
To pay Citizens National Bank, Cameron, Texas, in payment of Confederate Pension Warrants	125.00
To pay Citizens National Bank, Cameron, Texas, in payment of Confederate Pension Warrants	225.00
To pay Citizens National Bank, Cameron, Texas, in payment of Confederate Pension Warrants	200.00
To pay First State Bank, Overton, Texas, in payment of Con- federate Pension Warrants	450.00
To pay Parrish, M. C., & Company, Austin, Texas, in payment of Confederate Pension Warrants	400.00
To pay Pennington, Mrs. C. A., Cleburne, Texas, in payment of Confederate Pension Warrant	125.00
To pay Strawn, Lewis P., Mineral Wells, Texas, for refund of money erroneously placed in the Pension Fund by the State Comptroller	125.00
To pay Tate, A. C., Honey Grove, Texas, Confederate Pension Warrant	50.00
To pay Citizens National Bank, Cameron, Texas, in payment of Confederate Pension Warrants	225.00

Sec. 2. That the Comptroller of Public Accounts is hereby authorized and directed to check the amounts of the foregoing claims with the records of the various State Departments affected thereby, and, when the amounts are found to be correct, to issue a warrant or warrants on the State Treasury in favor of each of the persons, firms, or corporations named herein, in the amounts set opposite their respective names, and shall mail or deliver to each of said persons, firms, or corporations at their said respective addresses, warrant or warrants in payment of said claim or claims, and said persons, firms, or corporations shall duly receipt the Comptroller for said warrant or warrants for payment of said claim or claims.

Sec. 3. The fact that the claims herein appropriated for are past due, and the persons, firms, and corporations to whom the same are payable are being deprived of the proceeds thereof creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be and the same is hereby

suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. Hardeman offered the following amendment to the committee amendment:

Amend Committee Substitute for Senate Bill No. 471 by inserting in Subsection A at the end of page 9 of the mimeographed bill the following:

"To pay W. C. Jackson, Fort Stockton, Texas, for services as Special District Attorney of the 83rd Judicial District of the State of Texas	100.00"
"To pay to Van Horn State Bank, Van Horn, Texas, in payment of State of Texas General Revenue Fund Duplicate Deficiency Warrant No. 93699, dated February 4, 1937, payable to the order of Cleto Gomez and endorsed 'Cleo Gomez' and 'Smith Drug Company, Van Horn, Texas'	7.52"
"To pay J. D. Brown, 203 Thomas Building, Midland, Texas, for State Warrant No. 186527 in favor of Dave Gill and Andres Galindo, on which payment was prohibited by Statute of Limitation	17.60"

(Mr. Alsop in the Chair.)

Question recurring on the amendment by Mr. Hardeman, it was adopted.

Mr. Reed of Dallas offered the following amendment to the committee amendment:

Amend Senate Bill No. 471 by adding a new line paying A. Harris & Co., Dallas, Texas, \$9.25.

The amendment was adopted.

Mr. Harris of Hill, offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 471 by adding to Section 1, Subsection A, the following item:

To pay Heiner B. McPherson, Itasca, Texas, in payment of injuries received by gunshot, November 11, 1940, as member Headquarters Detachment, 3rd Battalion, 143 Infantry when under orders of Commanding Officer, \$300.00.

HARRIS of Hill,
PEVEHOUSE.

The amendment was lost.

Mr. Halsey offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 471, by adding thereto the following claim: Two warrants of \$5.85 each, payable to Lamesa National Bank, \$11.70.

The amendment was adopted.

Mr. Lock offered the following amendment to the committee amendment:

Amend Committee Amendment No. 1, Senate Bill No. 471, by adding to Subsection A, the following:

To pay De Witt, Gill H., Lufkin, Texas, for refund of marble machine taxes, \$60.00.

Mr. Kersey moved the previous question on the pending amendments and the passage of Senate Bill No. 471 to third reading, and the main question was ordered.

Question recurring on the amendment by Mr. Lock, it was adopted.

The committee amendment, as amended, was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 471 was then passed to third reading.

SENATE BILL NO. 471 ON THIRD READING

Mr. Lehman moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that Senate Bill No. 471 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—113		Howington	Love
Allison	Kelly	King	McNamara
Avant	Kennedy	Knight	
Bailey	Kersey		Absent
Baker	Kinard		
Bean	Klingeman	Blankenship	Goodman
Bell	Lansberry	Brawner	McAlister
Benton	Lehman	Bruhl	Martin
Boone	Leyendecker	Bundy	Morgan
Bray	Little	Dove	Pace
Bridgers	Lock	Gandy	Voigt
Brown	Lowry		
Bullock	Lucas		Absent—Excused
Burnaman	Lyle	Allen	Moore
Carlton	McCann	Anderson	Morris
Carrington	McDonald	Daniel	Nicholson
Cato	McGlasson	Dwyer	Ridgeway
Celaya	McLellan	Files	Sharpe
Chambers	McMurry	Harris of Dallas	Spangler
Clark	Manford	Huffman	Taylor
Cleveland	Manning		
Coker	Markle		
Colson, Mrs.	Matthews	The Speaker then laid Senate Bill No. 471 before the House on third reading and final passage.	
Connelly	Mills	The bill was read third time.	
Crossley	Montgomery	Mr. Eubank offered the following amendment to the bill:	
Crosthwait	Morse	Amend Senate Bill No. 471 by adding a new section:	
Deen	Murray	"Provided further, that no claim contained herein shall be paid until said claim has the approval of the Attorney General and the Comptroller."	
Dickson of Bexar	Parker	The amendment was unanimously adopted.	
Dickson of Nolan	Pevehouse	Mr. Favors offered the following amendment to the bill:	
Donald	Phillips	Amend Senate Bill No. 471 by adding a new line at the bottom of page 14, to read as follows:	
Duckett	Price	"To pay Lee Fortenberry, Wellington, Texas, \$38.00 for refund on motor fuel."	
Ellis	Rampy	Mr. McGlasson moved the previous question on the pending amendment, and the final passage of Senate Bill No. 471, and the main question was ordered.	
Eubank	Reed of Bowie	Question recurring on the amendment by Mr. Favors, it was adopted.	
Evans	Reed of Dallas	(Speaker in the Chair.)	
Ferguson	Rhodes	Senate Bill No. 471 was then passed by the following vote:	
Fitzgerald	Roark		
Fuchs	Roberts		
Garland	Sallas		
Gilmer	Senterfitt		
Halsey	Shell		
Hanna	Simpson		
Hardeman	Skiles		
Hargis	Smith of Bastrop		
Harris of Hill	Smith of Atascosa		
Hartzog	Spacek		
Heflin	Stanford		
Helpinstill	Stinson		
Henderson	Stubbs		
Hileman	Thornton		
Hobbs	Turner		
Howard	Vale		
Hoyo	Walters		
Huddleston	Wattner		
Hughes	Weatherford		
Humphrey	White		
Hutchinson	Whitesides		
Isaacks	Winfree		
Jones			
Nays—9			
Burkett	Davis		
Craig	Favors		

Yeas—109

Allison	Kelly
Alsup	Kennedy
Avant	Kersey
Bailey	Kinard
Baker	Klingeman
Bean	Lansberry
Bell	Lehman
Boone	Leyendecker
Bray	Little
Bridgers	Lock
Brown	Lowry
Bullock	Lucas
Bundy	Lyle
Burnaman	McDonald
Carlton	McGlasson
Carrington	McLellan
Cato	McMurry
Celaya	Manford
Chambers	Manning
Clark	Markle
Cleveland	Martin
Coker	Matthews
Colson, Mrs.	Mills
Connelly	Montgomery
Crossley	Morgan
Dickson of Bexar	Morse
Dickson of Nolan	Murray
Donald	Parker
Duckett	Pevehouse
Ellis	Phillips
Eubank	Price
Favors	Rampy
Ferguson	Reed of Bowie
Fitzgerald	Reed of Dallas
Fuchs	Rhodes
Garland	Roark
Gilmer	Sallas
Halsey	Senterfitt
Hardeman	Simpson
Hargis	Skiles
Harris of Hill	Smith of Bastrop
Hartzog	Smith of Atascosa
Heflin	Spacek
Helpinstill	Stinson
Henderson	Stubbs
Hileman	Thornton
Hobbs	Turner
Howard	Vale
Hoyo	Walters
Huddleston	Wattner
Hughes	Weatherford
Humphrey	White
Hutchinson	Whitesides
Isaacks	Winfree
Jones	

Nays—12

Benton	Davis
Burkett	Hanna
Craig	Howington

King	McCann
Knight	McNamara
Love	Roberts

Absent

Blankenship	Gandy
Brawner	Goodman
Bruhl	McAlister
Crosthwait	Pace
Deen	Shell
Dove	Stanford
Evans	Voigt

Absent—Excused

Allen	Moore
Anderson	Morris
Daniel	Nicholson
Dwyer	Ridgeway
Files	Sharpe
Harris of Dallas	Spangler
Huffman	Taylor

Mr. Lehman moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

SUSPENDING JOINT RULES

Mr. Evans offered the following resolution:

H. C. R. No. 181, Suspending certain Joint Rules to consider House Joint Resolution No. 33.

Whereas, House Joint Resolution No. 33 has been on the House calendar for sometime; and

Whereas, The Forty-seventh Session of the Texas Legislature is drawing to a close; therefore

Be It Resolved, By the House of Representatives, the Senate concurring, That the Joint Rules of the two House be suspended, in order to allow the House of Representatives to bring up House Joint Resolution No. 33 on third reading and final passage on May 28 or 29, 1941.

EVANS,
BENTON.

The resolution was read second time and was adopted.

SUSPENDING JOINT RULES

Mr. Celaya offered the following resolution:

H. C. R. No. 180, Suspending Joint Rules to consider Senate Bill Nos. 488 and 486.

Be it resolved by the House of Representatives, the Senate of Texas

concurring. That Joint Rule No. 21 be and the same is hereby suspended for the purpose of permitting the Senate to consider Senate Bills Nos. 488 and 486, on Wednesday or Thursday, May 28th and 29th, which are House Bill days.

CELAYA,
HARTZOG.

The resolution was read second time and was adopted.

SUSPENDING JOINT RULES

Mr. Cato offered the following resolution:

H. C. R. No. 177, Suspending Joint Rules to consider House Bill No. 268.

Be it resolved by the House of Representatives, the Senate concurring, That the Joint Rules be suspended in order that the House may consider House Bill No. 268 on Wednesday, May 28, 1941, or on Thursday, May 29, 1941.

The resolution was read second time and was adopted.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following message from the Governor:

Austin, Texas, May 27, 1941.

To the Members of the Forty-seventh Legislature:

Since sending you my message yesterday with reference to House Bill No. 611, as passed by the House and now in the Senate, will say that some of the members have informed me that some of the House Amendments to that bill have been approved by the Social Security Board in Washington.

As far as I am concerned, I have no objection whatever to any amendments that you may add to House Bill No. 611 that will liberalize the bill or clarify its meaning, providing such amendments are acceptable to the Federal Social Security Board. The point I wish to stress is that we have been advised that unless this bill is passed so as to become effective by July 1st, and thus coincide with the Federal law which goes into effect at that time, that it may mean the cutting off

of Federal contributions to our old age assistance fund.

Inasmuch as the original bill, No. 611, had the full approval of the Federal Social Security Board, of course they would not cut off their contributions if the bill was enacted as originally written, so if any amendments are added, I want to respectfully caution you to make sure that such amendments are acceptable to the Federal Social Security Board so that no chances whatever will be taken regarding the cutting off of Federal matching of our old age assistance fund.

Respectfully submitted,

W. LEE O'DANIEL,
Governor of Texas.

BILLS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House after giving due notice thereof and their captions had been read severally the following enrolled bills:

H. B. No. 962, "An Act authorizing the Board of Directors of the Agricultural and Mechanical College of Texas, for the use and benefit of John Tarleton Agricultural College, to construct or acquire, and equip not more than two dormitories, or to construct and equip additions to not more than two existing dormitories; authorizing and requiring said Board to fix fees, rentals, and charges for the use of such dormitories and to make parietal rules concerning the same; authorizing the issuance of negotiable revenue bonds payable from and secured by revenues from such dormitories and of certain dormitories heretofore or hereafter constructed or acquired; authorizing the issuance of negotiable refunding bonds, and of refunding and construction bonds, secured by and payable from revenues as herein provided; providing that bonds authorized in this Act shall not constitute an indebtedness of the State of Texas, or said Board of Directors, or of said institution and that the holders of such revenue bonds shall never have the right to demand payment out of funds other than those pledged for their payment; etc.; and declaring an emergency."

H. B. No. 1000, "An Act authorizing independent school districts and cities which have assumed the control of public schools situated therein. In any county having a population of not less than Twenty-one Thousand, Five Hundred Ninety (21,590) and not more than Twenty-one Thousand, Six Hundred Twenty (21,620) according to the last preceding Federal Census, to build or purchase buildings and grounds located within or without the district or city, for the purpose of constructing gymnasias, stadia, or other recreational facilities, and to mortgage and encumber the same, and the income thereof, and to evidence the obligation therefor by the issuance of bonds to secure the payment of funds to purchase or construct or to purchase and construct the same, etc.; and declaring an emergency."

ADJOURNMENT

On motion of Mr. Fitzgerald the House at 6:15 o'clock p. m. adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Oil, Gas and Mining: House Bill No. 1047.

Education: Senate Bill No. 354.

Public Health: House Bill No. 913.

Insurance: House Bills Nos. 836, 1061, and 1065; Senate Bills Nos. 85 and 379.

Municipal and Private Corporations: Senate Bill No. 111.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, May 26, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 55, A bill to be entitled "An Act to amend Article 2847 of the Revised Statutes relating to the filing of bids for the furnishing of textbooks to the State by adding to said Article a provision requiring that all textbooks to be used in the public schools of Texas shall be printed in the State of Texas from and after the year 1943."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 26, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 963, A bill to be entitled "An Act appropriating out of the State General Revenue Fund the sum of One Thousand (\$1,000.00) Dollars to the Eddins Common School District, No. 62, Shelby County, Texas, to be used by said school district in rebuilding a public schoolhouse within the district."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 175, Providing for the taking effect immediately of House Bill No. 518.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 26, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1011, A bill to be entitled "An Act appropriating the sum of Three Hundred Thousand Dollars (\$300,000.00) out of any funds in the State Treasury, not otherwise appropriated, annually, for the purpose

of providing permanent funds or revenue for the 'Firemen's Relief and Retirement Fund' created by House Bill No. 258, Chapter 125, page 229, of the General Laws of the Regular Session of the 45th Legislature, approved April 9th, 1937; providing for the disbursement thereof; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1000, "An Act authorizing independent school districts and cities which have assumed the control of public schools situated therein, in any county having a population of not less than twenty-one thousand, five hundred and ninety (21,590) and not more than twenty-one thousand, six hundred and twenty (21,620) according to the last preceding Federal Census, to build or purchase buildings and grounds located within or without the district or city, for the purpose of constructing gymnasias, stadia, or other recreational facilities, and to mortgage and encumber the same, and the income thereof, and to evidence the obligation therefor by the issuance of bonds to secure the payment of funds to purchase or construct or to purchase and construct the same; providing that the purchaser shall have a franchise to operate same in case of foreclosure; providing that no such obligation shall ever be a debt of any such school district or city, but solely a charge upon the property so encumbered; providing that no election for the issuance of such bonds shall be necessary; providing that such project shall be deemed self-liquidating in character; providing that the cost of maintaining and operating the project shall be a first charge against the revenues of the project; providing that such bonds shall be payable from the net revenues of the project, together with all future ex-

tensions or additions thereto, or replacements thereof, providing for the payment of said bonds; providing that the holder of said bonds shall never have the right to demand payment thereof out of any funds raised or to be raised by taxation; providing that said bonds shall be approved by the Attorney General and registered by the State Comptroller; providing that no bonds authorized shall be issued or executed after the expiration of two (2) years from the effective date of this Act; providing that no land upon which is situated school improvements shall be subject to the indebtedness created hereunder; validating Acts heretofore performed by school districts; enacting provisions incident and relating to the subject and purpose of this Act; and providing further for the issuance of revenue bonds by independent school districts and cities which have assumed the control of the public schools situated therein, for the purpose of building additions to existing gymnasias, stadia, and other recreational facilities owned by the same, and purchasing additional buildings and grounds for the purpose of constructing additions to existing gymnasias, stadia, and other recreational facilities; providing that any bonds issued shall be payable from the net revenues of the projects after payment of the operating and maintenance charges; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairmna.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 948, "An Act creating Eolian Common School District No. 4 wholly established in Stephens County, Texas, including therein the present Eolian Common School District, and certain territory in Stephens County not now a part of said District, defining its metes and bounds within Stephens County; making provision for the management and control of schools and school property in said District; pro-

viding no outstanding indebtedness is invalidated by this Act; validating all current contracts for the maintenance of schools in said District; enacting provisions with reference to outstanding indebtedness of territory brought into said District by this Act; repealing all conflicting laws in so far as they conflict with this Act; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 930, "An Act making certain emergency appropriations for the Adjutant General's Department incident to the support of the Texas Defense Guard; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 351, "An Act amending Section 1 of House Bill No. 654, Regular Session, Forty-first Legislature, 1929, page 698, Chapter 314, as amended by Section 1 of House Bill No. 335, Acts, Regular Session, Forty-second Legislature, 1931, page 480, Chapter 277, defining the terms 'specialized motor carrier,' 'specialized equipment,' 'property requiring specialized equipment,' and 'oil field equipment'; also amending Section 6 (d) of Chapter 277, Acts of the Regular Session of the Forty-second Legislature, as amended by Section 1 of Chapter 321, Acts of the Regular Session of the Forty-fifth Legislature, authorizing the Railroad Commission to issue Specialized Motor Carrier certificates to persons who desire to transport for hire over the highways of this State livestock, mohair, wool, milk, livestock feedstuff, household goods, used office

furniture and equipment, oil field equipment, timber in its natural state, farm machinery and grain when a public necessity exists and a public convenience will be promoted by the granting of said application and authorizing said Railroad Commission to make certain rules and regulations governing such operations and the terms, conditions and restrictions for the granting of such certificates; also amending Chapter 314, General Laws of the State of Texas passed by the Forty-first Legislature, Regular Session, as amended by Chapter 277, Acts of the Regular Session of the Forty-second Legislature, and all amendments thereto, by adding a new Section to be known as Section 5a, giving the Railroad Commission of Texas authority to issue certificates of convenience and necessity authorizing the operation of specialized motor carriers; providing that no motor carrier shall hereafter operate as a motor carrier of oil field equipment, household goods, used office furniture and equipment, livestock, livestock feedstuff, farm machinery, grain, timber in its natural state, milk wool, or mohair without having a certificate of convenience and necessity or contract carrier permit; providing for the sale, lease, assignment, transfer, or inheritance of certificates of specialized motor carriers under certain conditions and subject to the approval or disapproval of the Commission; providing the method for securing of certificates authorizing operation as specialized motor carriers by motor carriers now lawfully operating under special commodity permits heretofore issued by the Commission authorizing transportation of oil field equipment, household goods, used office furniture and equipment, livestock, livestock feedstuff, farm machinery, grain, timber in its natural state, milk, wool, or mohair; providing for filing fees to accompany application; providing the jurisdiction and procedure of the Commission in granting applications for certificates of convenience and necessity to specialized motor carriers and other common carriers and contract carrier permits; providing that specialized motor carriers shall be subject to the laws relating to common carriers; providing for the

issuance of special identification plates for motor vehicles operated by special motor carriers, and prescribing fees therefor, providing for the payment of annual fees for each motor vehicle operated by a specialized motor carrier for the fund for administering the Act; declaring the public policy of this State with reference to the business of transporting oil field equipment, household goods, used office furniture and equipment, livestock, milk, livestock feedstuff, grain, farm machinery, timber in its natural state, wool, mohair, pipe, and commodities requiring specialized equipment in the transportation and handling thereof, and other commodities; providing nothing in this Act shall be construed to repeal or alter House Bill No. 25, Acts, Regular Session, Forty-seventh Legislature; providing the number of employees and the salaries of each shall be as fixed in the Departmental Appropriation Bill; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 73, "An Act amending Article 802 of the Penal Code of Texas, as amended by Acts of the Second Called Session of the Legislature in 1923, as amended by Acts of 1935, Forty-fourth Legislature, First Called Session, Chapter 424, as amended by the Acts of 1937, Forty-fifth Legislature, Chapter 60, providing that any person who drives or operates an automobile or other motor vehicle upon any public road or highway, or upon any street or alley within the limits of an incorporated city, town or village, while such person is intoxicated or under the influence of intoxicating liquor, shall be guilty of a misdemeanor, reducing the maximum penalty provided in said Article from a penitentiary offense to a fine or jail sentence, and increasing the minimum penalty thereof; and further amending the Penal Code of Texas, by adding two new sections to be known

as Articles 802a and 802b, making the driving and operating of an automobile or other motor vehicle upon the public highways in this State, after a previous conviction of driving an automobile or other motor vehicle while intoxicated upon the public highways in this State, a felony, and prescribing a penalty for violation thereof, and by providing that if any person who shall drive or operate an automobile or other motor vehicle upon the public highways in this State while intoxicated, and while so driving and operating said automobile or other motor vehicle shall through accident or mistake do another act, which if voluntarily done would be a felony, shall receive punishment affixed to the felony actually committed; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1052, "An Act applicable to water improvement districts deriving their powers from Article XVI, Section 59, Constitution of Texas, in which there may be located a United States military camp or base; defining the word 'district'; authorizing such districts to issue negotiable revenue bonds in an amount not to exceed One Hundred Thousand Dollars (\$100,000) par value without the necessity of an election to provide funds for constructing or otherwise acquiring filtration and pumping equipment, pipe lines, and all other facilities for supplying water to military camps or bases; and authorizing such districts so desiring to issue any bonds for the purposes enumerated in this Act in an amount in excess of One Hundred Thousand Dollars (\$100,000) only after submitting such proposition to an election under the provisions of the General Law governing same; providing that such bonds shall bear not more than four (4) per cent interest and providing that the date of maturity shall not exceed five (5) years from the date of their issuance; prescribing the

method of securing such revenue bonds by the Attorney General, and prescribing the effect thereof; providing that the authority herein conferred shall be cumulative of that conferred by other laws and that in the event of conflict between this and other laws, the provisions of this law shall prevail; providing that any contract made under authority of this Act shall be made only after advertising for bids for such time as the board of directors of such district may determine, and providing that in any event advertisement for bids shall be made in a newspaper of general circulation in such district one time not less than ten (10) days before awarding or making such contract; providing that the holder of any bonds issued under authority of this Act shall never have the right to have same paid, in whole or in part, out of funds derived from taxation on any of the properties within any such district; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 27, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1039, "An Act defining and limiting the term 'intrastate business' as used in Article XIV, Section 1 (a) of House Bill No. 8, Acts of the Regular Session, Forty-seventh Legislature; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 27, 1941,

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1003, "An Act amending Article 8221 of the Revised Civil Statutes of Texas of 1925 so as to provide that in any county with not less than one hundred and thirty-five thousand (135,000) population and not more than one hundred and ninety thousand (190,000) population, according to the last Federal Census, the County Treasurer, for acting as treasurer of a navigation district, shall receive from such district, as compensation for his services, a salary of Fifty Dollars (\$50) per month, and the premium on the official bond of the County Treasurer shall be paid by the said navigation and canal commissioners; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

SENT TO THE GOVERNOR

May 27, 1941

House Bill No. 903 (Returned to the Governor.)

House Bill No. 465.

House Bill No. 832.

House Bill No. 952.

House Bill No. 1052.

House Bill No. 948.

House Bill No. 136.

House Bill No. 930.

House Bill No. 351.

House Bill No. 1039.

House Bill No. 1003.

In Memory of Honorable Junius C. Harris

Mr. Helpinstill offered the following resolution:

H. S. R. No. 307, In Memory of Hon. Junius C. Harris.

Whereas, On Sunday, May 25, 1941, the Honorable Junius C. Harris, of Austin, Texas, was called to rest from his earthly labors, and

Whereas, The Honorable Junius C. Harris was born 78 years ago in Melrose, Nacogdoches County, Texas, being a member of a pioneer East Texas family, and

Whereas, He was educated in the public schools of Texas and after attending law school he removed to Nacogdoches where he engaged in the practice of his profession, and

Whereas, He was appointed by Governor Pat Neff as a member of the Recodifying Commission to recodify the Statutes of this State, which necessitated his removing to Austin, Texas, in which City he continued to reside and enjoy the practice of law until his passing, and

Whereas, The death of this distinguished attorney and jurist has been a source of profound sorrow to his host of friends and admirers in various parts of the State in which he had served so nobly and well.

Now, Therefore, Be It Resolved by the House of Representatives of the Forty-seventh Legislature, That we extend to his widow and other members of his family our deepest sympathy in the loss of their distinguished husband and father and that the Chief Clerk of the House be directed to furnish the widow a copy of this resolution under the seal of the House and that when the House adjourns today that it do so in memory of this distinguished Texan.

HELPIINSTILL,
CARRINGTON.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Anderson, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Ridgeway, Rhodes, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Kelly, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.

In Memory of
Mr. I. Rude

Mr. Hanna offered the following resolution:

H. S. R. No. 308, In Memory of Mr. I. Rude.

Whereas, Mr. I. Rude, the little tailor who became the Prince of Givers in Dallas, is dead, and thousands of Dallasites, some in rags and others in the finery of men of estate, mourn the passing of such a lovable, generous character; and

Whereas, Mr. I. Rude was born in 1875 in a little town in Austria and lived most of his early life in poverty until he came to America at the age of 14, when he said he had had but two square meals in his life; and

Whereas, Upon arrival in New York he labored in a sweat shop, became ill with tuberculosis and worked his way to Colorado. There he regained his strength and his nimble fingers earned him a livelihood as a tailor and his modest shop eventually became a large store. Successful and with money beginning to come in at last, Mr. Rude remembered the days when he had half starved and vowed then he would be no capitalist, but that a large share of his earnings would be used to lend a helping hand to the less fortunate; and

Whereas, Mr. Rude moved to Dallas in 1911 and opened a store, and twenty-five years ago celebrated Christmas by giving clothing to all the needy who called at his store; and

Whereas, These Christmas celebrations became an annual event and one Christmas during the depression he clothed 12,000 people, and more than any other man he was loved and trusted by those of lowly estate, as well as all who knew him; and he clothed those of all creeds and races; and

Whereas, His charities were not limited to Dallas alone, but in Denver he built and equipped the Jesse Rude dairy, in memory of the confirmation of his son, for the National Home for Jewish Children; he aided in financing the Buchtel memorial, the Beth-Israel hospital ground improvements, the Rude Medical building for the Jewish Consumptives Relief Society, the Beth-Josept Synagog, the Rude community center, and the Rude Community Building; and

Whereas, The citizens of Dallas feel that Mr. Rude was a valuable citizen with a charitable heart who made Dallas his home until five years ago when he moved to Los Angeles, California, and where he died; now, therefore, be it

Resolved, That the House of Representatives wish to express to the bereaved family our regret at the passing of one who did so much good for others and who left such a rich heritage behind him; and be it further

Resolved, That a copy of this resolution be sent to the widow of the deceased, and that when we adjourn today we do so in respect of a man dearly beloved by all who knew him.

HANNA,
BLANKENSHIP,
REED of Dallas,
STINSON,
CROSTHWAIT,
HARRIS of Dallas.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Anderson, Avant, Bailey, Baker, Bean, Bell, Benton, Boone, Brawner, Bray, Bridgers,

Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hardeman, Hargis, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Ridgeway, Rhodes, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Kelly, the names of all the members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.